

T B 15

The Catechist Catechiz'd:
OR,
LOYALTY ASSERTED.
IN
Vindication
OF THE
OATH of ALLEGIANCE,
AGAINST
A New *Catechism* set forth
BY A
Father of the Society of JESUS.

To which is Annexed
A Decree, made by the Fathers of
the same *Society*, against the said *Oath*:
With *Animadversions* upon it.

By ADOLPHUS BRONTIUS,
A Roman - Catholick.

Reddite quæ sunt Cæsaris Cæsari.

Printed in the Year, 1681.

THE CATHOLIC CATECHISM:
OR
LOYALTY ASSERTED
IN

VRINDICATION
OF THE
OATH OF ALLEGIANCE

AS FIRST
A NEW CATECHISM FOR LITTLE
BY A
FATHER OF THE SOCIETY OF JESUITS.

TO WHICH IS APPENDED
A TRACT, MADE BY THE FATHER OF
THE SOCIETY, UPON THE FOLLOWING
QUESTIONS, PROPOSED UPON THE

BY THE REV. FATHERS, BROTHERS,
A ROMAN CATHOLIC
GIVEN AND FIRST GIVEN TO THE

Printed in the Year 1822.



To the Reader.

THE noise of this new Catechism, so rudely treating the Oath of Allegiance, and Mis-shaping the beauty of Truth into the deformity of a Monster, as it has excited the more Curious, both of *Roman Catholicks*, and *Protestants*, to enquire after it, so it has raised in both an indignation against it. Men run to the Stationer for it, but find it not. The truth is, this unhappy Catechism, though in Print, is not exposed to Sail; for the Author, Conscious to himself, that, like the night-bird, it will not endure publick Light, keeps it somewhat

in the dark, but yet imparts it to all his friends, and confidents: It's first Birth and Print was in *Flanders*; where having had the Applause of some of his Society, [the never-failing Ecchoes of each others praises,] by them 'twas commended to those Monasteries of Men and Women, upon which he has a great Ascendent. Afterwards some few Copies were scattered in *Paris*; from whence, by the design of the Author, one was sent to me; and now many more of them are stolen into *England*, and put into the hands of Ladies; I suppose, to principle them, and their children, in his way of Loyalty. In any of my Engagements against him and others upon this Subject, which have been many, these three last years, I never yet appeared in Print.

Nor

Nor did I ever design it, till now; being partly importuned by his frequent Prints, partly by Sollicitation of powerful friends, and most of all out of a duty to my Prince, and a just resentment of the injuries done to Catholick Religion. But it shall be with a justice so impartial, that it shall rather force him to an acknowledgment of candour, in my process against him, than incur the imputation of being either injurious to him, or too indulgent to my self. I shall therefore couple both the Catechism, and the Answer in one Print and Book, let them stand or fall by the reasons they bring. And now Reader, whether I will or no, you will be judge betwixt us. If affection bribe your understanding, you wrong your self, and us too; if reason weighs down the Scale
of

of your judgment, you shall do
your self right, and no wrong to
any one. Be advised by holy
Thomas of Kempis; *Mind not who
speaks, but what is spoken.* You have
also here Annexed, a Decree made
against this Oath, with Animadver-
sions upon it. I commend it to
your serious perusal; Farewell.

The

The Jesuits Catechism:
Or, A Brief
INSTRUCTION
Touching the
OATH
OF
Allegiance.

By Way of
DIALOGUE.

Printed in the Year, 1681.

The Jewish Catechism:

Or, A Brief

INSTRUCTION

Touching the

OATH

OF

Allegiance.

By Way of

DIALOGUE.

Printed in the Year, 1681.

GENTLE READER.

THE Scourge of perjury, of which these later years the Catholick cause lyes bleeding, ought to have made Catholicks more Circumpect in swearing: whereas divers by taking an unlawful oath, have encreased the evil. It was not, God knows, the Oath of Allegiance, that could cure perjury, no more then stabbing ones self can heal the wound given by ones enemy. A false Oath of Allegiance may be treachery to Religion, but not Allegiance to ones King. And a Traytor to his Religion will hardly be a faithful Subject to his Sovereign. He that by Oath will dispense with his Honour and Conscience in the first, will not long boggle at the second. There may an equal interest appear in both, and then adieu to one as well as the other. Some who took the Oath, have since, to ease their fault, slept at a Minister's Sermon, and taken the cheering cup and Lord's Supper to help its digestion. Others made their Good man their Pope, and so renounced his Supremacy. The greatest part hurried to Courts of Justice, and abused by the specious title of Allegiance swore what they meant, and meant what was just, though their meaning was far from the words they swore to, and from the Obedience due to their Supream Pastor.

The Refusers of the Oath, by their adversaries
are

are term'd disloyal, and made conspiring against the Old Catholick cause, for teaching the unlawfulness of an Oath, which they themselves make to be no Allegiance, by saying, I swear not to the words, as they lye, but only my opinion. So that as without Dispensation I may change my opinion, I may change my Allegiance. But you know we are taught better things. Our Allegiance must live and die with us, and we in the defence of his Majesties Rights and Prerogatives. As we are ready to swear a promise of all due Allegiance, so we must not swear what we cannot, let it bear what title it will: he that cares not what he swears, cares not what he observes. The good old Cause bids you swear what you will; Covenant, or Allegiance; and do you know what. The good old Catholick cause bids you swear what is just, and do what you swear.

In defence of the refusers of the Oath, I have framed this short instruction by way of Dialogue; the clearest method, I could think of, to evidence the unlawfulness of the Oath, confirm the refusers in their Christian Resolution, and reclaim such as have been misled; the only intent and desire of

Your faithful Servant,

J. D.

The Jesuits Catechism :

Or a Brief

INSTRUCTION

Touching the

OATH of ALLEGIANCE,

By way of Dialogue.

CHAP. I.

*The Matter is Stated.*M. **A**RE you a Loyal Subject?

S. I am; nor do I well conceive why you question it.

M. I question it, because of your Religion, which is Catholick.

S. And because of my Religion, I am the more bound to Loyalty.

M. Wherein consists Loyalty?

S. In a firm and constant resolution of paying all due *Allegiance* to my Prince.M. Is the Oath of *Allegiance* a part of this Duty?S. Yes, as far as it contains *Allegiance*.

M. Why? does it contain any thing else?

S. Assu-

S. Affuredly; it bears the Title of *Allegiance*; and *Allegiance* is the least part of it; and the rest cannot be sworn to.

M. Do you then think the Oath of *Allegiance* unlawful?

S. I judg it to be so.

M. And Why?

S. Because it hath not the requisites of a lawful Oath.

M. How can you make this good?

S. First, by stating the Requisites to a lawful Oath. 2. By considering the Oath as contain'd under the Title of the Act of Parliament enjoyning the tendring it. 3. By singling out what in the Oath it self falls short of those Requisites. 4. By the Popes prohibiting of the said Oath.

CHAP. II.

Of the Requisites to a lawful Oath.

M. **W**Hat is an Oath?

S. It is a calling God to witness what I Affirm or Promise.

M. How many sorts of Oaths are there?

S. An Oath (as to our purpose) is two-fold: Assertory and Promisory.

M. What

M. What is an Affertory Oath?

S. It is to swear a thing to be true, in order to be believ'd.

M. What is a Promisory?

S. It is to swear a Promise, in order to bind our selves to another.

M. In which of these two Oaths, does an Oath of *Allegiance* consist?

S. In a promisory, as is clear; for by a promise alone I bind my *Allegiance*.

M. Is the English Oath of *Allegiance* wholly Promisory?

S. No; the greatest part is meerly speculative, and Affertory; and therefore no Oath of *Allegiance*: so that the Title ill becomes the whole; and seems only put to draw in People.

M. Set me down the Conditions required for the Lawfulness of an Oath?

S. They are three; *Truth*, *Lawfulness* of the thing to be sworn, and *Necessity* of swearing.

M. What do you mean by *Truth*?

S. I mean that I must understand the words I swear by, and that I must have a moral certainty that the thing is so as I swear it to be: which certainty admits no doubt of the thing's being otherwise.

M. Is not the probability of a thing's being

being so, enough for one to swear it?

S. No; for probability leaving a rational doubt, whether the thing be so or no, I cannot bring God's veracity to witness what I doubt of.

M. May not I upon a probability of a thing's being so, swear I think it is so?

S. I may, because the Oath is then grounded, upon the certainty I have of my Thought, tho' never so weak; and not upon the probability of the thing.

M. Pray come to the 2. Requisit: what do you mean by the *Lawfulness* of a thing?

S. I mean that the thing be neither unlawful in it self as the telling of a lye; nor by prohibition, as eating Flesh upon *Friday*?

M. What do you understand in the third Requisite by *Necessity*?

S. I mean that one must not swear lightly, but by reason of some Obligation grounded in a vertue, as *Charity*, *Justice*, or *Obedience*.

M. Of which of these requisites does the Oath of *Allegiance* fail?

S. It fails of all. It fails of *Truth*, which is the first; because many Illiterate Persons, do not understand the force of
of

of the words and those who understand them, have no moral certainty of the truth of the things signified by them. It falls of the 2. Requisite, that is the *Lawfulness* of the thing I swear: *First*, by reason this Oath obliges me to unlawful Discoveries. *Secondly*, by reason it is prohibited by a lawful power; and *Thirdly*, by being made a mark of Religion.

M. What say you to the 3. Requisite, which is *Necessity*?

S. It appears from the want of the two first requisits. For it is so far from the requisite of *Necessity*, as that it is necessary not to take it.

M. You seem then to hold this Oath cannot be taken without a grievous sin, and without Perjury?

S. It is but what two Popes have declared with several Breves.

M. What is Perjury?

S. It is a calling God to witness a falsity.

M. In what consists it's Malice?

S. In making God, who is Truth it self, Witness of an untruth, and as it were Perjured; he being his own Oath in what he witnesses.

M. is

M. Is Perjury a great sin?

S. Yes: a hainous one; and so against Nature, as the very Gentiles, the Scythians and Egyptians put the Perjured to Death, the Indians cut off their Hands and Feet.

CHAP. III.

Of the Title of the Act.

M. **W**Hat is the Title of the Act, which orders the tendering the Oath?

S. It is *An Act for the discovering and suppressing Popish Recusants.*

M. What do you infer from this Title?

S. I infer what is naturally Inferred from a Title, the intent of the Act, which is; *to discover and suppress Popish Recusants* by means of the Oath.

M. Do you then think the Oath to be intended, as a distinctive sign of Popery?

S. Yes; for what ever is ordered to *Discover and Suppress Popish Recusants*, must be intended to distinguish them from others.

M. Why so? Are there not other things enjoind by the Act to distinguish

Recu-

Recusants, as the going to Church, to Communion &c. which may verify the Title of the Act?

S. There are but these things discover Dissenters in General, who refuse the Protestant Communion, and Church, no less than Catholics. The Oath of *Allegiance* is only proper to try Catholics, and therefore chiefly pointed at by the Title.

M. Have you considered the *Preamble* in the Act prefixed to the Oath, it may perchance alter your Opinion?

S. I believe not. I pray deliver it me.

M. It runs thus: *And for the better tryal how his Majestyes Subjects stand Affected in point of Loyalty and due Obedience, be it also Enacted, &c.* By which words you see the intent is, to distinguish Loyal, from disloyal Subjects, and not what you pretend from the Title of the Act.

S. Be it said with your good leave, this preamble Confirms the Oath to be, not only a distinctive sign to *discover* a Papist, but adds to the Discovery a Penalty the greatest imaginable, of making a Papist to be reputed and persecuted as *Disloyal*, and consequently to be *suppressed*,

sed, as is designed in the Title.

M. Is then the Title of the Act fitly and fully apply'd to the Oath, since other things are contain'd in the Act?

S. Yes; for a Papist is *Discover'd* by his Refusal; and his refusal of the Oath brings him in *Disloyal*, and exposes him as such to the Laws to be *Suppress'd*; which is the full intention of the Act, for so are compleated the two parts of the Title; to *Discover* and *Suppress*: From this you must necessarily infer, that this Law which settles Protestant Religion, by the words, *Loyalty* and *Obedience*, understands and aims at nothing but a compliance with that Religion.

M. Can you make this out by another instance contained in the Act, and prove that this Oath is intended for a distinction of Religion, and not only a distinction of Loyalty?

S. Yes, I can; if you allow Communion and going to Church to be a distinctive mark of Religion.

M. I allow them for such.

S. If so, be pleased to reflect, how the same Act does declare that Communion is proposed for a distinctive sign of Loyalty, and Obedience; and not for

a sign of Religion, for the *Preamble* to the ordaining the taking of the Communion is this: *For the better discovery therefore of such Persons, and their evil Affection to the Kings Majesty, and the state of the Realm, to the end that evil purposes may be better prevented, be it Enacted, that once in every Year following, he receive the Lords Supper.*

M. This is something; for, if the Receiving the Communion be a distinctive sign of Religion, although the *Preamble* might be produced to perswade the contrary, and that it is only a distinctive sign of Loyalty; so the taking the Oath is clearly a distinctive sign to discover a Papist as the Title does declare, though the *Preamble* alledged seem to bear another intent. Nor can I invent a Reason, when I compare the two *Preambles*, why this latter *Preamble* should not be as Efficacious to exempt Communion from being a mark of Religion, and make it only a sign of Loyalty, as the former is to exclude the Oath from being a distinctive sign; as both this Act of Parliament by its Title, and the Popes Breves declare it to be. So that I am yours: and only add, the joyning such things as the

Oath and Communion together, sufficiently declares the meaning of the Title and the Law-makers intention of *discovering and suppressing Popish Recusants* by means of this Oath.

S. This being so; I cannot in Conscience take it.

M. I pray come to the particulars of the Oath in it self?

S. It is my duty to comply with your just commands.

C H A P. IV.

The Assertory part of the Oath considered in two Clauses.

M. **D**Escend to those particulars, that render the Oath unlawful in it self.

S. They are more than one; wherefore I must lay down a Method to be the clearer.

M. As you please.

S. First then I divide this Oath into its Assertory part, and its promissory: an Assertory Oath as I have told you, is to swear a thing to be true in order
to

to be believed: and this Assertory Oath, as is evident, includes no promise of Fidelity; and by Consequence is no Oath of *Allegiance*.

M. Produce the first Clause you say cannot be sworn.

S. I shall place first, what in the Oath is with design placed last, but influences upon all that goes before it.

M. What is that?

S. They are these words following: *And all those things, I do plainly and sincerely acknowledge, and swear according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, or mentall evasions, or secret reservation whatsoever.*

M. What difficulty find you in these words?

S. The difficulty is: that after I have sworn, what cannot be sworn according to the express words, and without some reservation, I am engaged to forswear all reservation, in what I have sworn.

M. What is that which cannot be sworn according to the express words and without any reservation?

S. Give me leave to propose unto you

by way of doubt the ensuing Clause, though never so plausible in appearance. *I testify and declare in my Conscience before God and the world, that our Sovereign, KING CHARLES, is lawful and Rightful KING of the Realm, and all other his Majesties Dominions and Countries.*

M. I cannot conceive any reason, you have to stumble at this?

S. My first reason, is, a due respect to his Majesty; the 2. is, that I understand not perfectly what I am to swear, nor have a Moral certainty of the truth of it.

M. Is not this an affected pretence to cloak disobedience?

S. Were it so, I should not swear as I do in these express foregoing words, *I truly and sincerely acknowledg, and Profess; that is, interiorly, and exteriorly own by words and deeds, Our Sovereign King Charles to be lawful King, &c.*

M. Are not the words *I testify and declare* as necessary to my *Allegiance* as the other?

S. No they are Derogatory to his Majesty, and by Consequence to my *Allegiance*.

M. My thinks you are harping upon
a Ticklish

a ticklish point, wherefore I pray explain your self better.

S. To testify as importing something distinct from my *acknowledging* in the rigour of the *express word* is to bear witness; to *declare*, as distinct from *professing*, is as it were to act the part of a Judge, in Clearing a thing not so well known, and is it not to question the right of a King, to call the Subject, and swear him a witness of it? are witnesses sworn but in Case of Controversy? or are declarations required, but in Case of doubt? the King is King, by his already declared indisputable right. This right, without any more makes the Subject a Subject. To swear me to witness he is my King after my acknowledgment of his right, is as it were to make him own his right to my acknowledgment; whereas my acknowledgment is a tribute due to his right; which has no need of my witnessing or declaring it, as the Tenor of the Oath seems to suppose it hath; by requiring me to be a witness and declarer of it.

M. You are a very precise swearer?

S. No preciser, then I am sworn to be by the express words I am to swear

to, without any Reservation, which obliges me to discuss exactly the signification of them; and I find those words I *testify* and *declare* in their natural extent rather prejudicial to his Majesties right, and my *Allegiance*, than otherwise.

M. Have you any other reason against this Clause?

S. I have; my 2^d. reason is, that being a person, as most are, to whom the Oath is tendred, not well versed in matters of State and Justice, am forced to swear things which are above me.

M. What are those?

S. I am sworn to *testify*, and *declare* before God and the world, that our Sovereign Lord King Charles is Lawful King of this Realm and all other his Majesties Dominions and Countries.

M. I fear you are more nice, than Conscientious, what difficulty can you find in this?

S. My difficulty is, that I know not what I swear.

M. Do you not know he is your Lawful King?

S. I know and swear it too. Let every Subject

Subject of his respective Dominions and Country do the same ; but do I who am an Idiot know, what is meant by *all other his Majesties Dominions and Countries* ? Do I know what they are, and the right to them ? have I Moral Certainty of what I swear to ? his Title runs : *King of England, Scotland, France and Ireland*, he possesses many places in *Affrica*, and *America* ; some Dominions have been changed since the framing of this Oath. I am not certain of the Justice of his Titles to all, and therefore as a faithful Subject upon probable Motives will presume it, will swear to stand for it, which is true *Allegiance*, but for want of certainty of the right he hath to all, cannot swear it.

M. I did not expect you would have insisted upon this Clause ; however I must own you cannot be too nice in examining what you swear, being clogg'd with the first Clause of swearing to the *express* words, without any *Reservation* whatsoever.

CHAP. V.

Of 2. more Clauses of the Assertory part.

S. **T**He third Clause, *I declare in my Conscience before God, that the Pope neither of himself, nor by any other means, with any other, can depose the King.*

M. What exception make you against this Clause?

S. The want of Truth, which makes me perjured, if I without any reservation swear to the plain and common understanding of the same words.

M. What is the common and plain sense of the words, as they lye?

S. This proposition. *The Pope by no other means with any other can depose the King,* is expressly the same as this; *No body can depose the King,* that is, *no Pope, no King, no Emperour, no Prince,* which you see is against the dayly practise of war, in which victory deposes the conquer'd party from some part of his Dominions?

M. Nothing is intended by these words

words, witness the Law-maker, but that the Pope, by no Papal or Ecclesiastical Authority can depose the King.

S. Do the exprefs words of the Oath bear this reservation? Do they not exprefly exclude it? The Authority of the *Pope himself*, of the *Church*, and of the *See of Rome*, are they not foresworn in the foregoing words? which being sworn to, what can these words, nor by any other means with any other, imply?

M. What are the preceding words?

S. They are these, *and that the Pope neither of himself nor by any Authority of the Church or See of Rome, &c.* I beseech you, reflect upon the words, and then tell me. Can *other* that is different means from the *Authority of Pope and Church*, be the same with the *Authority of Pope and Church*? Can God himself make you and another to be the same? And if he cannot, what Law-maker can enable me to swear according to the plain sense of the exprefs words *the Pope and an other*; and that the means of Ecclesiastical Authority and other means, are the same, which he must necessarily do who will perswade me, that to deny

deny *one* and to deny the *other* according to express words, is no more than to deny one and the same thing?

M. This is so clear, that nothing but a previous wilful engagement to the contrary can obscure it. Why did not the Law-maker make his interpretation a part of the *express words*, as he has made the express words an exclusion of his interpretation, and the only Subject of my Oath?

S. The fourth Clause is ; *No Person whatsoever has Power to absolve me from this Oath* : this Clause according to express the words, is no truer than the former, and therefore cannot be lawfully sworn.

M. Shew why it cannot be sworn.

S. Because the King, by quitting his Crown, may quit me of my *Allegiance* : Is he no body ? Should the King and Parliament dismember a part of the Realm where I am Native, and make it over to a Forreign Prince, am not I free from my *Allegiance* ? and are they no person whatsoever ? doth not the power of Victory transfer *Allegiance* from one King to another ? and the conquering part, is he no body ?

M. Should

M. Should the King quit his Crown he might too repent himself as soon body sayes.

S. That's much to the purpose. God send him long to live and Reign, but would his repentance unperson him, and make him no body?

M. But the common sense is, that no person from Rome can absolve me of my *Allegiance*.

S. The common sense of the words, whatsoever the maker of the Oath might intend, bear no such exposition, but with a clear Negative exclude it, for no person whatsoever, in its natural sense, is equivalent to this, *No Pope, no King, no Prince* can absolve em; which is evidently false, as hath been made out, and cannot be sworn.

M. Is not Victory, and the Kings quitting the Crown, equivalent to death, and the *Succession of an Heir*, which, it's manifest, cannot be understood by these words *no person whatsoever*?

S. No: for death which is a pure Negation, only takes away the person from the dignity, and not the dignity from the person, as the King might do from himself; and succession's so far from

from deposing, that it is a continuation of the Predecessours right.

CHAP. VI.

Of the 5. Clause of the Assertory Part.

M. **W**Hat else have you to say against the Oath?

S. The 5. Clause is: *I farther from my heart, abhor, detest, and abjure, as heretical, this damnable Doctrine, and position, that Princes which are excommunicated or deprived by the Pope, may be deposed, or murdered by their Subjects, or any whatsoever.*

M. What is't you scruple at?

S. I scruple at more than one thing; for it contains several things repugnant to Faith.

M. If what you say, you make appear to be true, you will justify the Popes Breves, who affirm what you say; you will stop your adversaries mouth, who boast you cannot after long poring, pick any thing out of the Oath, which is contrary to Faith, and you will clear your self of Disloyalty in refusing it.

S. The

S. The first thing *contrary to Faith*, is for a secular Power, much more a Protestant, to usurp the Supremacy due to the Church in deciding what is *Heretical*, as the Parliament do's by tending this Clause. From this it follows that 2. the compliance in swearing that Clause is also *contrary to Faith*, as being an approbation of that power. 3. It is *contrary to Faith*, to make the Doctrine of Deposing, *Heretical*; it never having been condemned by the Church. 4. It is *contrary to Faith* to make an Article of Faith what is not, as it would be to say, it is Article of Faith that *the Pope cannot depose a Prince in a Case of Heresie and revolt from the Church*. For this must be of faith, if the contradictory be *Heretical*; as it would not be *Heretical* to deny *Transubstantiation*, if *Transubstantiation* were not an Article of faith. Lastly, what is implied in the whole Clause, it is against faith to hold it Lawful to swear a thing to be *Heretical* which is not.

M. Doth not the result of this favour Stilling-fleet, and others, who fall foul upon Catholics for this Doctrine of deposing?

S. No,

S. No, for as it is not *Heretical*, so it is no part of *Catholick Faith*. Nor doth any man as a *Catholick* believe it.

M. Is it not more favourable to Princes, to hold it is *Heretical*?

S. It cannot be favourable to any one to hold an untruth.

M. How can a Prince secure himself from that Doctrine?

S. By a promissory Oath of never holding it, nor teaching it, though it be not *Heretical*.

M. But by your good leave, this is not so binding, as to swear it to be *Heretical*.

S. It is more binding; for having sworn it to be *Heretical*, if afterwards I find it not to be *Heretical*, as one will easily do, I am freed from my Oath, as having sworn an untruth; but when I promise by Oath never to follow it, nor teach it, be it *Heretical* or no, I have no such evasion, as is manifest.

M. You have acquitted your self as to this point, but may not the particle, as *Heretical*, make this sense that I abjure that doctrine as if it were *Heretical* or like an *Heresie*? As it is said, *I hate him as a Toad, I love him as my Father*.

S. I do not deny but that the natural

ral sense of the particle *as* sometimes implies *similitude* or equality, but it is when it relates to different Subjects; for example let him *be unto thee as a heathen*. But this is not our present Case.

M. I see it is not.

S. Sometimes the particle *as* implies the reality of a thing being so; for example; a paper *as* seditious was burnt, signifies its reality of being seditious.

M. Pray give me a General Rule, when the particle *as* in common speech, has this second signification.

S. The best I can give you, as to our present Case, is; it generally implies the reality of a thing being so, as often as it applies an *Adjective* to a *Substantive*; for the *Adjective* not being able to stand without the *Substantive*. the particle *as* makes the *Adjective* fall upon the *Substantive*. I do not disapprove of your Rule, exemplify it.

S. It is our present Case. When I abjure a Doctrine *as Heretical*, the particle *as* casts the *Adjective Heretical*, upon the *Doctrine*, which is its *Substantive*, and implies the *Doctrine* to be Heretical.

C

M. But

M. But should you grant the Particle *as* might imply *similitude*, as it doth a reality of being *Heretical*, might I restrain it to *similitude*?

S. No; for in your supposition the particle *as* being in its common sense indifferent to both, I must swear both.

M. Why so?

S. Because I must swear without reservation.

M. Is it not true, that words are to be sworn in the sense which renders the Law just? and that a penal Law is to be interpreted in the most favourable sense?

S. It is true in some other Cases, but not in this where by the express words of the Oath, all evasions, interpretations, and reservations, are excluded; would it not be ridiculous, for the Law or Law-maker, to give me leave by using reservation, to forswear my self?

M. Methinks the word *Heretical* may signify *material Heresy*.

S. You tire me out with these restrictions, and I tell you again I must swear without any restriction whatsoever.

M. I have a better evasion then any of these.

S. You

S. You are resolved to try my patience, if it be an evasion, which the express words afford you not, you abjure it. However I pray make it known.

M. Be it true or not true, that the Pope can absolve me from my Oath, be it true or not true, that the Doctrine of deposing is *Heretical*, I may yet swear *I think the Pope cannot absolve me, I think that Doctrine is Heretical.*

S. Do not I swear these things in the same nature as *I swear King Charles to be my Lawful King*? I do as is manifest; and when I swear him to be so, do I only swear *I think he is my Lawful King*? to swear at the Barr *I think one guilty*, is no good evidence; to swear *that one is guilty* is a good evidence; by which it appears how much difference there is in my swearing *it is so*, and *I think it is so*. Where do you find in the whole Oath, so much as the word *I think*?

M. You profess in your Conscience, that is, according to your judgment, is not that as much, as to swear you think it is so?

S. It is most certain, my Judgment or Conscience must direct me to swear,

otherwise my Oath would be irrational; but this Conscience may direct me to swear a Doctrine to be *Heretical*, may direct me to swear *I think it is Heretical*; which are two different things, and it cannot be made out of the Oath, that I swear *I think it is Heretical*.

M. You have reason; and you might reflect, how the Oath-teachers by this evasion, without any dispensation from the Pope, keep their *Allegiance* at their own disposal, as to this, *Affertory* part.

S. How so?

M. Because it hangs upon the hinge of a thought ready to be turned any way. I swear I think it is so, and not being certain that it is, for example, that King Charles is my King, that the Doctrine of deposing is Heretical, in the next hour, upon new Motives, I may change my thought, and with my thought my *Allegiance*: for my thought I swear to, is not grounded in a certainty of truth (as A. B. ownes in his 3. letter) for were one certain of the truth, he might swear the things to be true in themselves which A. B. a chief Oath-teacher denys to do.

S. Me

S. Me thinks this is very clear, which makes me inferr moreover, that this evasion, is injurious to his Majesty.

M. For what reason?

S. By reason it ownes I do not swear *as true in it self, that King Charles is my Lawful King*; but that I think only he is, which includes a doubt of his being so; for were I certain, I might swear he is my Lawful King.

M. From whence do you inferr this?

S. Because according to the Oathists Confession, I do not swear *as true in it self the Doctrine of depasing to be Heretical*. Now the words of the Oath falling equally on both, if they do not affirm as true in it self the one, they do not the other.

M. Am I then obliged to swear *as true in it self, that King Charles is my Lawful King*?

S. I am if the King exacts it; for I have as Physical, and moral evidence of his being my King, and King of *England, Scotland and Ireland*, as I have of his being owned by the whole world, without any one laying claim to the contrary.

M. Have not I the same evidence

that the Doctrine of deposing is *Heretical*?

S. No: I have evidence to the contrary, for it is evident the Church, has never defined it to be *Heretical*. A private person's, nor a whole university's, declaring it to be against the word of God does not make it *Heretical*. Let men examin what the *Sorbon's* opinion was concerning this point in *Henry* the third, and *Henry* the fourth's time, and of the Siege of *Paris*.

M. Are you then certain the Doctrine of deposing is not *Heretical*?

S. I am: as I am certain there is no definition of the Church to make it so; from which certainty, I conclude *I cannot so much as rationally think it Heretical*; for can I be certain a thing is not *Heretical* and yet think it is *Heretical*, and if I cannot think it is *Heretical*, how can I swear it to be *Heretical*, or that I think it to be so?

M. Did not the French Jesuits subscribe to the Censure of the deposing Doctrine as *being contrary to the word of God, &c?*

S. Whether they did or did not, it serves for nothing, but to bring an en-
vy

vy upon them. Did they subscribe the deposing Doctrine was Heretical? what harm for peace sake to subscribe an opinion? did they declare the opposite opinion to be an Article of Faith, did they swear, the opinion to be Heretical; did they subscribe that opinion, any more than as an opinion, and by way of opinion?

M. You have said a great deal, and no more than what is true, draw your conclusion from what has been said.

S. It is: that I can neither swear the Doctrine of deposing to be *Heretical*; nor, that *I think it to be Heretical*, as having a certainty it is not *Heretical*.

CHAP. VII.

Another evasion answer'd.

M. **I**N the first place, I conjure you to lay aside all Logical School-Terms, and subtleties, and clear the difficulty so (as I may say) that a Gentleman reading it, before he goes a Hunting, may understand it.

S. I can do no more, than promise the best of my endeavour.

M. The

M. The evasion is, that this Proposition, *A Prince excommunicated or deprived by the Pope may be deposed or murdered by his Subjects, or any one whatsoever, is Heretical.* Therefore I may swear it to be *Heretical.*

S. This proposition, as being exposed to Quibbles, is not proper to be sworn by every Idiot, who must perfectly understand what he swears to, or he exposes himself to Perjury.

M. Is it not clear that it is *Heretical* to say a Prince excommunicated may be murdered?

S. Grant it is, how comes the proposition, saying, *A Prince excommunicated may be deposed, to be Heretical.* Who has defined it so to be?

M. The proposition, as affirming both together to be lawful, is *Heretical.*

S. That is not the sense of the proposition, but to the truth of it, is required, that *the proposition saying one, or the other to be lawful, be Heretical:* and the proposition, saying the one, that is *Deposing,* is not *Heretical?*

M. Pray clear it a little better if you can.

S. It is clear, by the words themselves; for by the words of the Oath, I do not swear

swear the proposition, saying, *A Prince excommunicated may be deposed and murdered*, but *may be deposed or murdered*, to be *Heretical*; which in the common way of speaking are wholly different. By the first is sworn, to teach the Lawfulness of both together to be *Heretical*; and the Lawfulness of both together, implying *Murdering* to be lawful, is truly *Heretical*. By the second is sworn, to teach Lawfulness of the one, which is of *Deposing*, or the other, that is *Murdering*, to be *Heretical*, which is false; for the saying, *it is lawful to depose an excommunicated Prince* is not *Heretical*.

M. You have said as much for clearing this case, as the express words afford you, according to which one is to swear.

S. I only add, that, if the Oath-teachers can give any interpretation so connatural to the express words as I have done, he that takes the Oath, being sworn to waive all Reservation, must swear to both, which without Perjury he cannot. After so many real difficulties against the Lawfulness of the Oath, I cannot but enquire, how one can take these last two Clauses of the Assertory part; first, that *it is administred to me by good and lawful power*, the determining

ning what is Heresy appertaining to the Catholick Church, and not to a Protestant Parliament. The second, *And I do make this Recognition and Acknowledgment, heartily, willingly and truly, upon the Faith of a Christian, so help me God.*

CHAP. VIII.

Of the Promissory part of the Oath.

M. **T**He Assertory part of the Oath, is it any part of *Allegiance*?

S. It is not.

M. Then the greatest part of this Oath, is intituled from *Allegiance*, contains *Allegiance* as the least part of it.

S. You say no more than what I have often answered. From which you may infer, that by the Oath, something more than *Allegiance* was intended.

M. Is it not a part of *Allegiance* to acknowledge your *King*?

S. It is no part of *Allegiance* to acknowledge Him by a *thought*, and a swearing *I think so*; but it is to acknowledge Him by a promissory Oath of *Allegiance*, which supposes a certainty of His being my true *King*.

M. Are

M. Are you ready to swear all the promissory part of the Oath?

S. I am, except only the promise of *discovering* what is contained by Law, under the word *Treason*; which I cannot do without betraying my Religion, and he that will be a Traytor to his Religion, upon the like Motives will be a Traytor to his *King*.

M. What are those things?

S. They are. First to maintain or extoll Authority in the See of *Rome*, the 2. time is high treason, 5. *Eliz.* 1. 2dly. to obtain or put in ure any Bull from *Rome*, high treason, 13 *Eliz.* 2. Thirdly, for Jesuit or Priest made by Authority of the Pope, to come or remain in the King's Dominions high treason 27 *Eliz.* 78. 4tly. to perswade, or reconcile or to be reconciled to the Roman Religion, High treason. 23 *Eliz.* 11. 3. *Jacob.* 4. for this last *Barnet* was condemned few years since, and several meerly for being Priests have lately been executed. So that those Laws are yet in rigour.

M. Do you then think the aforesaid things are signify'd by the word *Treason*?

S. How can I think otherwise? for the signification

signification of words, is taken from the will of men, they being indifferent of their own nature to signify any thing, and the will of men cannot be more clearly expressed than by their Laws; so that the most certain signification of a word, is what it hath by Law. This is so evident that no Philosopher, no divine, no Lawyer, ever yet called it in question. Besides is it not made a distinct member from conspiracies?

M. I have heard some say, to be Priests, and the like, are but Spiritual Treasons.

S. Spiritual Treasons that hang a man corporally. Are Spiritual Treasons, Treasons or no? is not this an evasion? and are not all evasions abjured? besides all Spiritual power in opposition to the Pope being by the Law of the Nation settled in the King as part of his right, as it is *treason* to own extern power opposit to his right in temporals, so is it not *treason* according to the Law, to own the Popes power opposit to his right in his Spirituals? the common sense of the word *Treason*, can it be better derived, than from the common Law?

M. But doth not King James declare, that he intends nothing by the Oath than
the

the securing himself from the deposing power, and the dangerous principles ensuing from it, and that he exacts nothing but a civil *Allegiance*?

S. Under such a pretence, might not I as well be sworn to renounce the Pope, and my Religion, as be bound to take an unlawful Oath? would not that secure him as much as the Oath? The greatest security he could have he might have had by a promissory Oath of never following that opinion; this never was deny'd him, nor will be deny'd his Successors; his reservation of civil *Allegiance* is excluded by the express words of the Oath, which he himself obliges me to swear to. Would it not argue a strange power to grant me leave to swear to an Interpretation, and by the same Oath to exclude it?

M. Cannot then the Law-maker dispense in his own act?

S. He may dispense with me from taking the Oath, but supposing the Law, by his order or permission, enforces the Oath upon me, the Law-maker cannot dispense with me to swear in a different sense from what the express words bear. Nay doth not the Law-makers bringing an Interpretation, own the unlawfulness of the express words? M. Have

M. Have you any thing else to instance for what you say?

S. I have, if you will be pleased to tell me, how the charge of the Attorney General runs against a Priest, condemned purely for Priest-hood.

M. Forasmuch as I have been able to gather out of the Trials of such as have been condemned, the charge runs thus: *As a false Traitor to our Sovereign Lord the King.*

S. So that one for being a Priest, according to Law, is a *false Traitor*, that is guilty of *Treason*: And, consequently, I swearing to discover all *Treason* swear to discover all Priests to some Informer, and to concur with the intent, and title of the Act of Parliament *to the discovering and suppressing Popish Recusants*. What can be thought of more repugnant to faith?

M. You have quieted me as to this point, yet I have one demand to make.

S. What is that?

M. You know divers misled, some for interest, some for other ends, some for want of due Reflection have taken the Oath, are they therefore bound to discover all Priests?

S. No, no more than *Herod* was obliged

ged to cut off *St. John's* head. The reason is that such a discovery being unlawful and damnable in it self, an Oath which is a sacred act of Religion, cannot be a bond of iniquity, and oblige me to what is unlawful.

M. I am ready to subscribe, that you have made good the unlawfulness of the Oath. First by reason of the *title* of Parliament exacting it; 2. For want of *truth* in all the clauses of the assertory part; 3. For want of *Justice* in the clause of the promissory part. Lastly, for want of *necessity*; there being a necessity under a grievous sin, as the Pope declares, for the not taking it.

S. I could not fail of your approbation of what I learned of you.

CHAP. IX.

Of the Pope's prohibition of the Oath of Allegiance.

M. **I**S not the Pope our Sovereign Judge in Spirituals?

S. Yes: as our King in Temporals.

M. Why am I rather to obey the Pope
in

in refusing the Oath than the King in taking it?

S. Because the lawfulness or unlawfulness of an Oath, as a point of Conscience, lies within the verge, not of a Temporal, but of a Spiritual Jurisdiction.

M. Hath not the King the right to tender an Oath of *Allegiance*?

S. He has, but this Oath contains much more than *Allegiance* in it, which renders it unlawful.

M. Hath the Pope no Prerogative above other Judges?

S. Yes, according to the general sentence of Catholicks, he has that of Infallibility in points of Doctrine.

M. Do you hold the Pope Infallible?

S. I do, but not as an Article of Faith, because it has never been defined by a general Council, though I judge it definable.

M. In what degree then do you hold it?

S. I hold it with a great certainty: not being able to doubt of the contrary. For, who can think the Rock can fall? who can judge efficacious Christ's prayer for *Peter*, that his Faith might not fail? who can imagin that the spirit of Infallibility,

ty, which assists the whole Church, should abandon the Head of it? who can surmise that Christ who tenderd his Church above his own Life, should permit its Pastor, not to feed it, but to poison it with false Doctrine?

M. I must interrupt you, for I know you might, and would say much more as to this point, and solve the difficulty to the contrary; but you have said enough to infer that if submission be due to other Judges who are Fallible, it is without doubt due to the Pope, who has too much reason to be judged Infallible. But not to bring more into Dispute, than what purely concerns the Oath, supposing him as Fallible as other Judges, is he not to be Obedyed?

S. The case being supposed equal, if he may be disobeyed in points of Conscience, why may not secular Judges be disobey'd in Temporalls, and so adue all Government and Loyalty.

M. Though Judges be supposed Fallible, are not private persons as fallible as they?

S. Much more Fallible, as being byas'd by Interest, Passion, and Engagement which are not so incident to Judges.

D

M. What

M. What if a Judge be misinformed, doth his sentence hold?

S. His sentence holds until such time as that sentence be repealed, either by himself better informed, or by a Superior Authority. If a private persons pretence of *misinformation*, could render a sentence void, what sentence would hold? might not every Plaintiff or defendant who is cast, always pretend *misinformation*, and would not this be to place every private person above the Judge?

M. May one be Judge in his own cause?

S. In some Cases he not only may be, but must be Judge, and to deny it is to Authorize all Rebellion. Has not the King right to judge in points concerning his Prerogative, and to suppress Rebellion? to pretend he cannot, is it not to place another judge over the Supreme? You will say the judge is a part; he is so; but head, and governs the whole. Were it not to unchain the Pope to say he cannot be Judge in spirituals, because a part? he is a part, but the ruling part; he is the head of the Church, and as such ought to be obeyed. Consult the Canon, and Civil Law, and

and you will find they both defeat that pretence. For the cause of the Church or the state, wherein the Episcopal or Royal Authority is concerned, is not termed a private or personal cause of the man who is Bishop or King, and for that reason, doth not ground an exclusion of that same man to judge in it.

M. You having premised what is necessary, and evidently true, and what it behooves secular Princes to maintain as well as the Pope ; I pray come to the Popes Breves condemning the Oath, how many are they, and of what nature ?

S. They are four ; Three of *Paul* the Fifth, and one of *Urban* the eighth, *Paul* the Fifth given in the year 1606 sets down the Oath word by word ; and, having taken notice of several other things in the act enjoyning the Oath, condemns the Oath as containing things *contrary to faith* ; which Breve, directed to the English Catholicks, was delivered to *Mr. Blackwel* then Arch-Priest ; who, notwithstanding his inclination to the contrary, accepted it, and divulged it ; by which it became so publick, that *K. James* himself owned it to be the Popes, and as such inserted it word by word in his

answer to it, so that it could not be doubted whether it were the Popes or no. Learned men in *Italy, France, and Spain* employed their pens in the defence of it. The year after, it being pretended that the Breve was surreptitious and he mis-informed, the Pope in a second Breve condemns it again after *long and serious deliberation*, and being perfectly informed as he declares and *ex certa scientia*. This also though with the same unwillingness was published by Mr. *Blackwell*; but he being deposed for taking the Oath and Mr. *George Birket* made Arch-Priest in his place, *Birket* published them absolutely, as did also Doctor *Worthington*, Assistant of the Arch-priest; as also a third of *Payl* the fifth recalling the faculties of such, as held or abetted the Oath. *Prestons* books in favour of the Oath, Printed the one 1611. the other 1613. were by the same Pope condemned 1614. for all these Breves there wanted not some, as the said *Preston* and others, animated by that Presbyterian Arch-Bishop Abbot in the Clink. (See *Rushworth Tom. 1. Anno 1626. pag. 241, 242.*) Who writ for the Oath, which forced *Urban the 8.* to give out another

another Breve in condemnation of the Oath, and confirmation of his Predecessours Breves, which was published by Bishop Smith. Could more be done by the Sea Apostolick to require a due obedience?

M. Notwithstanding all you have said, the Oath teaches flatly deny the publication of these Breves.

S. Their denial must be made out; the contrary being clear by Originals, it being a Maxim in Law, *presumitur factum quod debuit fieri. what ought to be done is to be presumed done.*

M. It is said the Pope was *mis-inform'd*; and it is prov'd thus, the word *murthering*, in the Latin version of the Oath presented to the Pope, is Translated *occidere to kill.*

S. And what then? the Englishing out of Scripture the word *non occides, thou shalt not murther*, is it to misinform the people of Gods command? why then the Latining the word to *murther, occidere*, mis-informs his Holiness; can any one think the word, *occidere*, applyed to the sacred persons of Kings, can signify Chance-medley; if not, it implies an *unlawful killing*; which is *murthering*: and do not the Oath-Teachers themselves, term the Doctrine of *murthering, King-killing Doct-*
rine?

rine? and surely they will grant, occidere, signifies to kill. Another objection is that the Popes first Breve, on which the others are grounded runs thus. Que cum ita sint, satis vobis ex ipsis verbis perspectum esse debet, quod hujusmodi juramentum salva fide Catholica, & salute animarum vestrarum prestari non potest, cum multa contineat qua fidei & saluti aperte adversantur.

S. Pray English these words.

M. The Pope having set down the words of the Oath, says, *which things being so: out of the words themselves, it must be well enough known to you, that this Oath without prejudice of Catholick faith, and salvation of your souls cannot be taken, seeing it contains many things, which are manifestly repugnant to faith and salvation.*

S. What is there in all this to except against?

M. It seems not to be true, that the Oath, contains many things, which are manifestly repugnant to faith and salvation.

S. The Pope says it is true, that the Oath contains many things contrary to faith; the Oath-Teachers say, it is not true; Is not this as good as to Challenge the Pope, who is Judge, to make good his words? can a petty Lawyers ill ground-
ed

ed opinion free me from the obedience due to the Judges sentence? is it not against faith for a secular Protestant power to place it self in the Chair of the Church, to decide spiritual points? Is it not against faith to comply with that power, much more to swear that power to be a lawful one? Is it not against faith to swear a thing to be Heretical, which is not? Is it not repugnant to faith, to discover all *Priests* comprehended under the common sense of the word *Treason*? So that were we not obliged to submit to the Pope as Judge, doth not reason compel us?

CONCLUSION.

M. **B**Ut if after all this, I think the Oath to be Lawful, may not I take it?

S. No, Because such a thought can not be well grounded, for it neither hath Authority nor Reason to rely upon.

M. How shall I know that my thought is well grounded?

S. By examining whether it be not a rash one, proceeding from engagement, passion, or in consideration of what

is said to the contrary, and by discussing the certainty of the thing I swear unto. For, if I have not a Moral certainty of what I am to swear, I cannot rationally apply God's veracity to the affirming of what I doubt of.

M. I pray you descend to a particular, can I swear Innocent the 11. is Pope?

S. Yes: because I have a moral certainty of it; as I have of my King being King.

M. But he may chance not to be baptized, and so be no Pope. Considering the natural causes, there is a possibility of it, but the pure possibility of a thing affords me no ground to think it is or it is not: and therefore weakens not the certainty I have that it is.

M. Have not the Jesuits in France subscribed to the like Oath?

S. Never; and had the sixteen who subscribed some other propositions done it, what would it have signify'd against the judges sentence? Would it not be pleasant for one cast in Chancery, or an other Court, to get the opinion of some Lawyer against the judges sentence, and so think to carry it?

M. Did

M. Did not the Jesuits subscribe that the *Doctrine of deposing was wicked, contrary to the word of God, &c.*

S. They subscribed to the condemnation of Santarellus, whose book contain'd more then that. But grant they did, did they swear to what they subscribed? and is not more certainty required to an Oath, then to a subscription? and could a subscription of sixteen Jesuits make it *Heretical*? It is not enough for a private spirit to subscribe that it is *contrary to the word of God* to make it *Heretical*: but the Church must define it to be contrary to the word of God, which it never yet has done.

M. Is not the French Oath of Allegiance the same with the English?

S. No, as will appear by the French Oath turned into English. But first you know full well, that in the year 1615 the third state of France, in which the Hugonot party was very strong, propos'd an Oath, much like to our English Oath of *Allegiance*. But what was the issue? the other two chief states, the *Nobility* and *Clergy* rejected it as *pernicious, cause of Schism, and the open gate to Heresy*: as you may read in King James his

Preface

Preface to his declaration for the right of Kings, set forth in French in the same year, and in the Eloquent Oration of Cardinal Peron, made in the Chamber of the third state, in the name of all the Nobility and Clergy of France, and afterwards sent to our Sovereign King James: in which Oration the Cardinal affirms that the third state enjoining the said Oath, had their Lesson given them from England.

M. I pray you give me the French Oath in English, for I perceive what ever was acted in France, as to the deposing Power, haply concluded in it. And the Oath-Teachers used to say it was the same with the English.

S. The Oath runs thus. I swear on the most holy and sacred name of God, and promise to your Majesty, that I shall be as long as I live, a faithful Subject and servant, and shall procure unto you all service and good to your Kingdom, as much as I am able, that I never will be present in any Council or enterprise to the prejudice of the same; and that, if any thing come to my knowledge of this kind, I will make it known to your Majesty, and so help me God and his
holy

holy Gospel. An Oath of this Tenour none can refuse to his Majesty, and we are all bound to take it.

M. But one request more I have to make you; how comes it to pass that the Pope's Declaration binds to a compliance in not taking the Oath, even with the loss of Liberty, Life, and Fortunes, seeing the precepts of the Church do not oblige with so much Rigour?

S. The Case is clear, it is because the Law of God obliges me not to take an unlawful Oath, and the Law of God is indispensable: now the Pope in the present Case, as being Gods Vicar acts the part of *Moses*, and declares my obligation of not taking the Oath to be a part of God's Law: from which it follows, it is indispensable. On the contrary, the Precepts of the Church are dispensable by the power that Enacted them, and oblige not to so much inconveniency, as the forfeiture of Lives and Fortunes.

M. But have not the Errours of other Popes been pressed upon you, as of *Nicolas, John, Caelestin, Alexander, &c.* And that neither *Paul* the fifth, nor *Urban* the Eighth is more Infallible than they; and that if the Breves of others may pass unobserved, so may theirs. *S.* And

S. And have not I remitted the Author of that Objection, for the Answer to *Bellarmin*, from whom he Englished it? They spoke as private men their Opinions, exacted no Obedience, and therefore were not obeyed. Let him produce a Precedent in the Church if he can, of Obedience denyed to two Popes, issuing no less than 4 Breves upon the same point, and exacting a Compliance under Eternal Damnation. This is the present case, but no more; there is no dealing with private Spirits expressed in their Words, *if I know what I know better than the Pope can tell me, I'll believe my self*. The Will Rules; Reason hath little place. I conclude, humbly begging my Reader to peruse, more than once, this Instruction; and then to judge who of the two are better grounded in Principles of Loyalty, Government, and Religion; the refusers, or the teachers of the Oath of Allegiance.

The Oath-teachers, delude their King and Magistrates; for *First*, they declare they only swear their Opinion, and their changeable Opinion can be no Allegiance. *2^d* they only swear against the Popes spiritual Authority of Deposing, and

and not his Temporal annexed to it; nor of any other Prince. 3^{ly}. Where they swear they detest the Doctrin of Deposing or Murdering, as Impious and Heretical, they mean only Similitude, and Similitude including distinction, they make it neither to be Heretical nor Impious. Though the Doctrin of Murdering be absolutely both Impious and Heretical. 4^{ly}. They Swear to discover all Treasons, that shall come to their knowledg; but they do not mean all Treasons, declared by Law so to be, nor the knowledge had by Confession. 5^{ly}. When they say they swear without any Reservation whatsoever, they except the forementioned Restrictions. Lastly, when they Swear the Pope cannot Authorise any Forreign Prince to invade, &c. They do not mean he cannot implore their Armies, and perswade them to Invade in case of Persecution.

What then doth this Oath of Allegiance come to, as they swear it?

The Refusers of the Oath, are ready to swear his Majesty to be their lawful King, and by consequence all due *Allegiance* to him; they are ready to swear they will never Teach or follow the Doctrin of Deposing

posing; they are ready to swear they will discover what ever Conspiracy against his Majesty, that comes to their knowledge; in a word, they are ready to swear the strictest Oath, that ever was yet tendered by Catholick King to his Subjects.

THE

The Appendix.

M. **W**Hat if the Pope should command you to swear the Deposing Doctrine to be an Article of Faith, and the Oath to be Lawful.

S. I say he is not to be obeyed; he being subordinate to God, who forbids me to swear without the requisites to a Lawful Oath; and, in this Case, I should be as far from the requisit of certainty of what I were commanded to swear, as I am certain, that Doctrine is no Article of Faith.

M. In that Case the Pope would declare it is an Article of Faith, who are we to believe, the Pope or God.

S. This his declaration would be as void as the Parliament's is in declaring it is Heretical: it being a certainty that
it

it is neither Heretical, nor an Article of Faith.

M. You seem then to deny that the Pope can declare the Deposing Doctrin to be an Article of Faith; whereas in a Controversy whether it be or no, it belongs to the Pope to decide it?

S. Where there is a Controversy in a Point that is meerly Spiritual, I say, I am to stand to the Pope's Decision; but as to the point of Deposing, it is neither meerly Spiritual, nor in Controversy, it being certain, it is no Article of Faith: against which certainty the Pope cannot declare.

M. Pray explain your self a little better.

S. The Point in Controversy between Pope and King, is not whether the Doctrine of Deposing be Heretical, or an Article of Faith. For it is certain, it is neither; for where the Contest on both sides is Lawful, neither the one can be an Article of Faith, nor the other Heretical, as is manifest;

manifest; the controversy between them is this. The Doctrine of deposing, grounds a Title or Right to depose Kings in case of Heresy and revolt from the Church.

The Doctrine of not-deposing, grounds an opposite right; both these rights are Temporalities, as is clear; the controversy is, which of the two Pretenders to Right, hath Right of his side, Pope or King;

I say, they are both Parties, both Supreme Judges, neither can decide: it belongs to the whole Church, if to any, to do it; and till that be done, each party may oblige their subjects in Temporals to stand for their Right, but cannot oblige them to swear as a certainty the Doctrine on which it is grounded either to be Heretical, or an Article of Faith.

M. But should an Oath be tendered, either for the deposing Doctrine it's being Heretical, or an Article of Faith: to whom would it belong to judge of the Lawfulness, or Unlawfulness of it?

E

S. I

S. I answer, it is already judged of by Gods Law, as it is that I cannot swear white is black ; to declare it unlawful belongs to the Spiritual Court ; an Oath being an Act of Religion, if true ; a Sacrilege, if false ; nor doth such a Judgment incroach upon the right of either Party, neither Party having right to a false Oath ; and, though the Pope as to the Right of deposing, be a party, as to the Point of the Unlawfulness of the Oath, he is Judge.

T H E

The Catechist Catechiz'd:
OR,
LOYALTY ASSERTED.

In a LETTER to
A Father of the Society;
IN
Answer to a Catechism writen by
One of his Order, against the
OATH of *ALLEGIANCE*;

ENTITLED,
*A Brief Instruction touching the Oath of
Allegiance, by way of a Dialogue.*

Printed in the Year, 1681.

The Council, Cambridge,

LOYALTY ASSERTED

in a LETTER to

A Father of the Society;

IN

Answer to a Circular written by
one of his Order, against the

OATH of ALLEGIANCE,

PRINTED,

at the Baptist Chapel, teaching the Oath of
Allegiance, by one of a Dissenting

Printed in the Year 1721.

The Catechist Catechiz'd :
OR,
LOYALTY ASSERTED,
IN A
Letter to a Father of the Society, &c.

Reverend Father,

THE Assembly of your fathers in *London*, & their *Negotiation* there in the month of *April*, 1678. wrought as different impressions in the minds of men, as was their affection or disaffection towards them. The Roman Catholics thought them innocent, others believed them Criminal ; some faulted their ill Principles, but clear'd them from the ill Effects with which they stood charged ; But all men admired (in that period) the great Justice and Wisdom of God, who, to put an Everlasting Curse upon deposing and murdering Doctrine, was pleased to let pass a severity upon some descendents from those Ancestors, who by advancing unwarrantable Doctrines, had wrought amongst us the

E 3 distur-

disturbance both of Church and State ; for this was but an Effect of the sowre Grapes their Fathers had eaten.

At their next assembly Triennial, which was at *Ghent* in the month of *July*, 1681, the world was big with Expectation of some publick Act or deed, whereby their whole Province should renounce and disown those fatal Principles ; the smart of which themselves, and others for their sakes, had so lately felt ; and long since the whole Mass of Roman Catholicks from the most Execrable Powder-Plot to this day. This 'twas thought by many would be the only Salve to all our Soar's, would sweeten the Temper of the Government now exasperated, and set them, and all of us right in the opinion of all good men. But, alas ! all our hopes are faded ; for not only before this last Assembly both Manuscript and printed Libels were dispersed amongst their Confidants, against the Oath of *Allegiance*, but even then, by common vote of the Consult a Peremptory Decree was made against it ; antecedent to which an Invective by way of a Catechism was set forth with an artifice fit to impose upon the weak and illiterate. The

The first care of the Catechist is to rack the words of the Oath, stretching them beyond all sense or reason, so to raise a storm of scruples in the minds of his readers, and cast a mist to offuscate the clearest light imaginable. What can be more clear or Transparent to the meanest Capacity than the Exordium of this Oath? and what can be more unhappily wrested and distorted from its plain and common sense then it is by this Catechist? Take an Essay. The Oath begins thus, *I A. B. do truly and sincerely acknowledge, profess, testify and declare in my Conscience before God and the world that our Sovereign Lord the King is lawful and rightful King of this Realm, and of all other his Majesty's Dominions and Countries.*

Would you imagin he could stick at this? yet so it is, and the scruple is, that by these words the King's right in lieu of being asserted is brought into Question, (certainly either he or the Law-makers were strangely out; for, doubtless their design was to put it out of all Question) the reason given is, *because* sayes he, *To testify and declare, as distinct from the other words, is to bear witness,*

and as it were to act the part of a Judge in clearing a thing not so well known; and is it not to question the right of a King to call the subject and swear him a witness of it? Reverend Father, I now give you only a Taste of his scruples, reserving both this and the rest with their answers, until I meet them in their Order; and therefore at present shall only put this question to you, whether in reason the Oath ought to be refused for such wretched Constructions as this is? and what Oath can be devised, against which a Thousand such exceptions may not be urg'd?

His next concern is to fix in the mind of his Disciples a Character of his Loyalty; but, in Terms so General, so Equivocal, that the Oath he offers to swear by may be taken, the King may be deposed and murdered by the swearer, and yet no man perjured. His words are bushes in which lurks the Fox of Equivocation; let's beat a bush and try if we can unkennel him. In the end of his book, *The refusers*; says he, *of the Oath are ready to swear his Majesty to be their Lawful King.* Very well; but how long shall he be their Lawful King? any

ny longer then the Pope will allow him to be so? Clearly no; For, since they refuse to renounce and abjure his deposing Power, he is but a precarious King; the Pope may depose him, (as he has attempted upon others) he may absolve his Subjects from their *Allegiance* engaged to him by this Cobweb Oath; nay, he may by his Breves or Bulls Excommunicate his Subjects in Case they persevere to obey him; (for this is no new thing in the World) and he may also declare all this to proceed from his Spiritual Power, of which the Pope (if we may credit this Catechist) is sole Judge, from whom there is no appeal, as appears from his Nineth Chapter. Is not this to Equivocate and sport with the Crowns and lives of Princes? He proceeds in his Mock-Oath thus: *The refusers are ready to swear they will never teach or follow the Doctrine of deposing.* What in the name of Wonder is this? will they abjure the deposing Doctrine? No; will they hold against it without an Oath? No: will they swear to stand by the King and disobey the Pope in case he should by his Breves or Bulls declare

declare that as Vicar of Jesus Christ he absolves the Subjects from their *Allegiance* and Excommunicates all those who obey the King? No; For this disobedience to the Popes Breves they have Censured in others, and in his Nineth Chapter he declares the Pope to be the Sole and Infallible Judge in the Case. What then must be the import of these slippery words, *they will never teach or follow the Doctrine of deposing?* or what advantage comes to the King by them? But admit the sense be that they swear to stand by the King notwithstanding any Papal deposition, though they will not abjure his Power; Is it honour or Conscience to swear to disobey the command of a Judge whom they hold *with certainty to be infallible?* Can his Majesty repose any trust in them? or can he believe any Oaths binding enough to those who maintain such Doctrines? To hold the Pope Infallible, and at the same time to swear to disobey his Bulls of deposition, deserves neither credit from Pope nor King.

The last Article of his new Oath is, that, *they are ready to swear that they will discover whatever Conspiracy against his*

his M
the I
he w
the I
this
Pope
to
undo
Pow
of A
Pow
assur
of th
Pow
with
Prob
Alleg
disob
of h
again
on.

R
defig
thou
after
time
yet
to a
mac
it br

his Majesty. So far 'tis well; but, when the Pope shall Depose his Majesty, then he will be no more his Majesty; and so the King will find himself deluded by this Oath. And, what if after this the Pope shall prohibit this Oath, by his Breve, to be taken by Roman-Catholicks? as undoubtedly he may, and will; for, as the Power of Deposing is Abjur'd by our Oath of Allegiance, so is the Exercise of that Power renounced by this new Oath; and assuredly the Pope will be as tenacious of the Exercise of his Power, as of the Power it self; this being vain and useless without that. Is the Pope, in this case of Prohibition to be Obeyed? If so, adieu all Allegiance promised by Oath: Is he to be disobey'd, then the 9th. or last Chapter of his Catechism will rise in judgment against him, it being a Self-Condempnation.

Reverend Father, you have here the design of the Catechism; whose Doctrine, though it be but the same boil'd Capon often disht and serv'd up (Objections ten times Answered without a step advanc'd) yet because it is now halst and minced into a Catechism, so to allure weaker Stomacks, I shall advise them of the Poison it brings, and apply the Antidote. *The*

The Preface to the Reader Examined.

AS the Preface to his Catechism is *Partite*, so shall be my Answer. *First*. He declares against *Perjury*, with which he couples the Oath of Allegiance; so, joyn-
ing in Communion Falshood with Truth, Light with Darknes, Christ with Belial. *Divers*, says he, *by taking an unlawful Oath have encreased the Evil of Perjury*. If so, then 'tis to be hoped that divers who have taken a lawful Oath have decreased the Evil of Perjury; and since the Oath of Allegiance may be such (for any thing opposed by him) I know not why it may not work a perfect Cure to that Evil, in the Sphear of Loyalty; whereas an Equivocating Oath (such as he now offers) is so far from Curing that presently it Kills *Perjury*, 'tis Confessed, is the worst of Sins, and Equivocation in an Oath is the worst of *Perjuries*. Barefac'd perjury is soon discovered, and the Author often shamed into Repentance; but perjury in Masquerade, or Equivocation, lies concealed; and, when disclosed, it stands up on it's terms of Justification, and has even a Colour for the mischief it does, which

render

renders it Incurable. He that by Oath Equivocates with his King, can never be true to his God. And since your *Antifimbria* gives a Challenge to him who presumes to say, that any of your Society holds the Doctrin of Equivocation, since it was very lately Condemned by *Innocent* the 11th. my Answer, by his favour, is, That if *Antifimbria* be the Catechist, and the Catechist be of your Society, *Antifimbria* is the man, and the Oath he offers to take, is my Evidence.

From hence I step to the second part of his Preface, wherein he discloses a Mystery. Some sayes he, *who took this Oath, have since slept at a Minister's Sermon, and took the Cheering Cup; others have renounced the Popes Supremacy, and the greatest part, abused by the specious Title of Allegiance, swore what they meant and meant what was just.*

This is a Hodg-podg of good and bad together, all put to the account of the Oath of Allegiance; whose hard Fate it is, that for it's sake, even what is best in an Oath must be hated; for, what can be more Rational in a Man than in due Circumstances to Swear *what he means,*
and

and mean what is just. For, if he swears otherwise than what he means, he must either Lye, or, to give it a finer Term, must Equivocate. But he add's thus, *their meaning was far from the words they swear.* Was it so? Then clearly they did not swear what they meant; which can only be when their words and their meaning go together. And, if any who have taken this Oath have renounced the Popes Supremacy, I hope it was in Temporals; and that's the very Life and Soul of the Oath of Allegiance. But, if the Abjuration was of purely Spirituals, it can no more be charged upon this Oath than upon the Oath or Vow made in Baptism. Nor is the deserting Communion with the Roman-Catholick-Church, *or taking the Cheering Cup*, as he calls it, in the Protestant Church, or any other by assing from the Roman Catholick-Faith, neer so much the Effect of this Oath as the disorders of Private Members of his or any other Religious Family is to be imputed to the vow of blind Obedience to their General, since the Oath is no Cause of them.

In the third part of his Preface he seems to have a priviledge to say any thing; and
therefore

therefore imposes upon the defenders of the Oath, as their Doctrin, that *they swear not to the words as they lye, but only their Opinion*; and yet, whoever amongst the approvers of the Oath of Allegiance, contented himself with the bare thought or only Opinion of the Truth of it? How often have they declar'd *That a Rational settled Judgment or imoral Certainty*, and such as is required in all Oaths to justify a prudent and Conscientious Man, (though possibly the thing sworn may be otherwise) is requisit to take this Oath? Has he so soon forgot the Lesson I read him out of the most Eminent of his Four and Twenty Elders in *Escobar*, when he had censured them and all others as disingenuous, who were not of his mind? Is his new Oath with which he professeth to Live and Dy, more binding than this? Will he disobey the Pope in case he declares this new Oath to contain many things repugnant to Faith or Salvation? If not, his Allegiance will certainly Dy with him, but he'l not Dy with his Allegiance. If he disobey the Pope, I conclude with this Evidence against his Preface, that he is obliged to burn his Catechism, and so shall neither by it convince his

his Adversaries nor confirm his Friends, much less reclaim others, which is his design.

The Account of his Preface is thus. *First*, he makes this Deduction, some have of late been Perjur'd, *Ergo*, a lawful and good Oath ought not to be taken. *Secondly*, things unconnected and disparate he makes to be Cause and Effect. *Thirdly*, what is most perfect in an Oath is by him reputed Vicious. *Fourthly*, he Imposes upon the defenders of the Oath Opinion in lieu of Certainty as a requisit to an Oath; *Lastly*, he prefers an Equivocating Oath to an Oath that is Clear and Candid. Reverend Father, is this Christian Doctrin? Now before I take his Catechism in Peeces, I shall offer you a few Notes, short, clear, and easy, the Observation of which alone is a full vindication of the Oath of Allegiance and a Total Defeat to his Catechism.

My first Note shall be, that, since our understandings are so fruitful and various in their Productions, and our words so few that they cannot adequate every distinct Notion of the Mind, it must inevitably follow that many words must be Equi-

Equivocal, that is, must contain many different meanings, from whence must rise great Obscurities in speech and writing; for the clearing of which a regard must be had to Circumstances, as time, place, person, antecedents, consequents, the end and motive of speech, &c. All or some of which do usually give light to the Auditor or Reader, and fix words to a determinate sense; if therefore in the Oath of *Allegiance* there be any word in it self Obscure or Equivocal, and if it be circumstanc't by these or some of these advantages, 'tis render'd unequivocal and clear.

My second Note is, that, as in all Arts the signification of Terms is borrowed from the Masters of those Arts, so is it in the art of Equivocating or other Dodging in speech; the Teachers of which, as they have delivered us these following Terms, *Equivocation, Mental Reservation, Material prolocution, and Mental Evasion*: so have they given us the sense of them. Equivocation is when a word of it's self capable of many Senses is by Circumstances fixed to one only, in which the Auditor understands it, but the speaker craftily means another; for example, be-
E
ing

ing to journey I desire my friend to buy me a Horse ; he promises me so to do, meaning a painted Horse ; this is Equivocation ; for, though the word *Horse* may signify a Real or Painted Horse, yet in these Circumstances it can only import a Real Horse : Secret or mental Reservation is, when part of a sense is exteriorly pronounced by words, and another part which should make out the whole sense is interiorly hid or reserved in the mind of the speaker, so to impose upon his Auditor ; as if, being interrogated, whether I did see *Peter* to day ? I should reply (having notwithstanding seen him) *No*, reserving in my thoughts, *not in the Church*. Material prolocution is a pronouncing of words parrot-wise without any meaning. Mental Evasion is a general expression and common to all these Cheats by words. Now as Equivocation, ceases to be in words, when all Circumstances concur to give them a determinate sense, so it fares with mental or secret reservation, when what otherwise would be hid and reserved in the mind is laid open by declarative Circumstances ; for then nothing is concealed, and what is not concealed is not mentally or secretly reserv'd. My

My third note shall be, that this Term *Heretical* is Equivocal in it self as having divers plain and common significations; for, since Use and Custom is the Rule of speech, consonant to which this word *Heretical* imports Opposition, sometimes to the word of God written (in which sense 'tis always used by Protestants,) sometimes to universal Tradition, and sometimes, to the definitions of General Councils, or to some Consequence derived from any of these, clearly there is not any one of these Oppositions but what is the plain and common sense of the word *Heretical*; hence it is that the opinion that there were Antipodes, was anciently by some censured for *Heretical*, as by others the standing of the Sun, and rouling of the Earth has lately been. Hence the Divines in the Schools do daily Object Heresie to each other without refusing communion with each other; and upon any one of these Methods the *Censores Librorum* and Bishops at their Tribunals have proceeded to the censure, *Heretical*. If then in the Oath of *Allegiance* there be Circumstances restraining it to any of these notions. Evidently that must be the plain and common sense of the word.

My last note is, that Popes, though never so holy and learned may in their private Letters or Breves, nay and in their Bulls too, proceed from misinformation from others, as also upon their own private opinion, and by so doing may Err to the great prejudice of others; in which case there must be a Rule by which the error may be discovered; and if it prove fatal to Church or State, the Pope is not to be obey'd. These notes premised, I shall apply them to particulars as my Method shall direct me.

His first and Second Chapters Examined.

IN the first two Chapters he states the Question, whether the Oath of *Allegiance* be Lawful or no? then sums up the requisits to a Lawful Oath, as that it must have *Truth, Lawfulness of the thing sworn, and a necessity to swear*. Then, to make sure work of it, 'tis resolv'd the Oath of *Allegiance* shall fail in all, and so fairly concludes it every way unlawful. The proofs of his bold assertion are ranged in his following Chapters, through which I shall attend his march. But, first,

first, I shall smoothe a Rubb or two which in these two Chapters he thought fit to put in my way. The first is, that the Title of *Allegiance* does ill become this Oath; and his reason is, *because the greatest part, is meerly speculative and assertory, and therefore no Oath of Allegiance.* So that in his Opinion the Title squares only to the promisory part, which he tells you *is in order to bind our selves to another, but an assertory Oath is a swearing in order to be believed.* I beseech him in his next Catechism to declare what it is in the Oath he calls meerly speculative? Is the Kings right to the Crown there asserted a meer speculation? Fare-well then King, whom this Catechist has rendered only King of Fairies, and whose Kingdom at this rate, is but a Fools Paradise. Otherwise I should think that every Subject that by Oath asserts the right of his Prince, and abjures the Pope's and Subject's Power to depose or murder him, were by vertue of this Oath (though no promisory Oath should follow) to defend his Prince, and oppose the Pope and rebels. The right of a Prince and the duty of a Subject are Correlatives, they live and expire together;

ther; no man can assert the one, but must assert the other: if so, 'tis clear the assertory part of the Oath is not meerly speculative, or in *order only to be believed*, but also tends to practise. Again, is not the assertory part of the Oath as much the duty of a Subject as the promisory? Will the King take it well or think him worthy of trust who by an Oath promiseth to obey and defend him, whose right to command he refuseth to assert? Evidently then the assertory part of the Oath is as much the Duty, Fidelity, or *Allegiance* of the Subjects towards their King as the promisory; it being the bottom upon which the promisory part is grounded; and therefore who sticks to own the Kings right to command, is as unfaithful to him as he who denies him a promise to obey. I conclude then, that not only the promisory but also the assertory part of the Oath makes up the Oath of *Allegiance*.

The second *remora* he puts in my way is, to impose upon the defenders of the Oath, that they content themselves with a bare probability of the truth they swear; when 'tis manifest they never bate an Ace of a moral certainty: though the
Men

Men of his School, as *Valentia*, *Escobar*, and others have advanced this Doctrine he now lays to the charge of others. *Escobar moral. theol. Tract. 1. Exam. 3. cap. 3.* *Valentia* and others in the places formerly cited by me. And, whereas he objects, that Illiterate persons understand not the words, nor have any Moral certainty of the truth of the *Oath*, I must dissent from him, and do believe they have as great certainty that the King holds not his Crown from the Pope, that he is Supreme in all Temporals, that as such, he is to be obeyed, that no man may rob him or murder him, that his Subjects are bound to defend him against all Conspirators; and that all this is the indispensable Law of God, as any of your learned School-Men, though they cannot put their discourse into the right figure and mood.

Let us now account for these two Chapters, First to assert the Kings right, and to renounce all power of the Pope and Subject to depose or murder him, is deny'd by him to be a part of the Subjects due *Allegiance* to the King. Secondly, he imposes the Doctrine of some of his own School upon others against

their exprefs declaration to the contrary. Lastly, he concludes the generality of men incapable to understand, that robbing, and murthering, is againſt the Law of God. Reverend Father, is this Chriſtian Doctrine?

His third Chapter Examined.

THIS Chapter begins with reciprocat-
ing the old ſaw; And ſince he will
neither give any reaſon why my an-
ſwers to his thred-bare objection does
not ſatisfy, nor can improve it any
farther, my answer is ſtill in force againſt
him. The objection was, and now is,
from the Title of the Statute wherein
the *Oath* is contained, which runs thus,
An Act for the discovering and ſuppreſſing
Popiſh Recuſants; and, as if the Title
could not be veriſ'd by other parts of
the Statutes, or as if all parts of the Sta-
tute muſt be in the Title, he inferrs from
thence, that the *Oath of Allegiance* was
deſigned to diſtinguiſh betwixt Papiſts
and Proteſtants, not betwixt Loyal and
diſloyal Papiſts; though the Law-maker
for whoſe ſafety, and by whom the *Oath*
was made into a Law, both in his Pre-
moni-

monition and Apology to Christian Princes, & the Law it self, declares against him. So that in his judgment, to take the *Oath* is in the eye of the Law, to be a Protestant, to refuse it a Papists; and so by the Title of the Law a Quaker is rendred a Papist.

Reverend Father, to rid my hands for ever of this so often repeated objection, pray observe that I voluntarily and freely, and without any force from his way of arguing, have and do give him his objection. What then? ought not the *Oath* be taken by a Papist? Absur'd! For, put case that the King and Parliament (being perswaded that the Papists commit Idolatry) should oblige their Subjects by an *Oath* to renounce Idolatry, would not the refusal of this *Oath* (with the same Justice) by the design of the Law distinguish betwixt Papists and Protestants. And must a Papist therefore refuse this Oath? Nay, ought he not to take it the sooner, so to undeceive the world, and unmake the Sign? This is our case: Some eminent persons of your Society asserted at that time the deposing and King-killing Doctrin; the Gunpowder-plot-men put it into Practise, amongst whom some of your Society were charged

charged with it, and executed for it. The King and Parliament, supposing it (as well they might) to be the Doctrine of our Church, fram'd an Oath to abjure it; This Oath now by Law, is become to many a distinctive sign betwixt Protestants and Papists; what then must a Papist do who abhors that Doctrine? Clearly, he ought to abjure it, so to undeceive the People, and unmake the sign. From hence I conclude, that the Objection from the Title of the Statute is dispatch'd.

But, if he will not accept of my deed of Gift, then I resume my Liberty to dissent from him; and I have for my Defence King *James*, who best understood the Design of his own Law, and assures all Christian Princes, that *The Oath was made for a true Distinction, not betwixt Papists and Protestants, but betwixt Papists of quiet Disposition, and in all other things good Subjects; and such other Papists as in their Hearts maintained the like violent bloody Maxims as the Powder Traitors did.* Prem. pag. 9. and in his Apology: and this he writ at that time, when both the Title and the Statute was in the Eye and Mouth of every Man: Wherefore nothing but the Defence of a bad Cause could force this *Catechist* to Derogate from the Credit, Truth,

Truth, and Honour of this Prince, whose Testimony the Statute it self does Ratify, declaring that the Oath was framed, *For the better Trial how his Majesties Subjects stood affected in point of Loyalty and Obedience.* Now had the Oath been devised for distinction in Religion, probably the words would have been thus, *For the better Trial how his Majesties Subjects stood affected in point of Religion.* To that of King James, no reply with Justice can ever be made; but to the Statute he offers thus, That such a preamble is likewise prefixed *To the Ordaining the taking of the Communion in the Protestant way.* And yet it is no distinctive sign betwixt loyal and disloyal *Catholicks*, but betwixt *Protestants* and *Catholicks*. I reply, That the Receiving the Communion in the *Protestant* way, is in it self Essentially a sign of *Protestant Religion*; but to Renounce by Oath the deposing or murdering Power, and to declare it to be against the Word of God, is no Essential sign of the *Protestant Religion*, but only of Loyalty; Consequently, whatever the Preamble be, the *Oath of Allegiance* is a sign of Loyalty, and receiving communion in the Protestant way is a sign of Profession of that Religion?

The

The Expences of his Third Chapter are thus. *First*, It is a Repetition of the same Objection ten times answered without the least Improvement. *Secondly*, He gives his Adversary advantage against himself. *Thirdly*, He expects that the Title of the Statute, should be as large as the Statute. *Fourthly*, To compass his Design, he confounds the Nature or Essence of things. Reverend Father, is this Christian Doctrine ?

His Fourth Chapter examined.

IN this Chapter he begins to take the Oath asunder, and divides it into two parts ; the one Assertory, and the other Promissory ; and against each part moves many vain and impertinent Scruples. Everything he meets with is a Giant, but of his own creation. His first encounter is against the Assertory part, which once more he degrades from sharing in any part of Allegiance, because *it is not a promise of Fidelity, therefore it is no Oath of Allegiance*. As if it were not as much a duty of a Subject, to maintain by Oath the Right of his Prince, upon which all promise of Fidelity must be built, as the promise

mise it self. Since therefore both parts are a performance of the Subject's duty, both parts do integrate and compleat the Oath of Allegiance.

Before he advances farther, he thought it expedient to expose to view these following words of the Oath, *And all these things I do plainly and sincerely acknowledge and swear, according to the expresse words by me spoken, and according to the plain and common sense and understanding of the same words, without any Equivocation or mental Evasion, or secret Reservation whatsoever.* This is a snare in which he hopes to catch the swearer tripping by perjury, as acting contrary to his Oath. His first Gimcrack is from the first words of the Oath, thus, *I A. B. do truly and sincerely acknowledge, profess, testify and declare in my Conscience before God, and the world, that our Sovereign Lord King Charles is Lawful and Rightful King of this Realm, and of all other his Majesty's Dominions and Countries.* Who would have thought that any good Subject should have stumbled at this? Is it an imputation to the Oath that 'tis too clear? What plain-meaning man is there who understood not these words, till now he meets with this following

cross

cross and crabbed Comment? To testify (he tells you) as importing something distinct, from my acknowledging, in the Rigour of the express words is to bear witness: to declare, as distinct, from professing, is as it were to act the part of a judge in clearing a thing not so well known. Surely this Catechism runs the fate of many Comments which is to be more obscure than the Text. For, what exigence is there that these four words, *I acknowledg, profess, testify, & declare*, must have all distinct meanings? Is it from the nature of the Law, or Oath? Evidently no. For, since 'tis the design of the Law-maker, by the use of words, to be clear and easy; and since nothing conduces more to that design than synonymous words giving light to each other (for some of necessity will be more obscure than others) 'twould be preposterous to expect from the nature of an Oath or Law a distinct Sence for every word: Nay, 'tis against all Experience, for both in the Canon and Civil Law, in Statutes, in Bonds, in Indentures, in Deeds, and in the Breves, and Bulls of Popes, nothing is so frequent as redundance of words in the same Sence; and all little enough to render the Acts or Obligations clear, sure and binding.

Secondly,

Secondly, Why must the words of this Oath be used in the most rigorous sence? methinks the plain and common sence (required by the Oath) should not be, always the most rigorous sence. And I am very certain that, if all words were used in their rigorous sence, few would understand them, and so they would be unfit for Oaths. Thirdly, what warrant has he, that these words *Testify and declare in my Conscience* do import in rigour, *to bear witness before a Judge, and to act as it were the part of a Judge?* Since nothing is more familiar in plain and Common Sence, than to Testify and declare a matter in a man's Conscience without the thought of any act of Jurisdiction. Fourthly, To testify and declare in a man's conscience, that the King is right-ful King, is so far from questioning the Kings right, that it places it beyond all question. For, whereas at the time this Oath was framed, and before, several Divines of the Society and others, maintained the deposing and murdering Power, which gave rise to the Powder-Plot; this Oath was made, wherein these words, amongst others, were industriously inserted, to cut off all such pretended

ded Power. So that what question was about the Kings right, was started by the men of deposing and murdering Principles, against whom, and their Doctrine, this Oath was made.

Another Bone too hard for his Digestion, is that he cannot Swear, *The King is Rightful and Lawful King of all his Dominions*. Because he knows not what they are, or what Right the King has to them. My Answer is, That the Oath requires not that the swearer should know every spot of Land possessed by the King, either in *Europe, Affrica, or America*; but only that he swear in particular, That he is Rightful and Lawful King of this his Realm, and (in general) of all other his Dominions. So that what ever change has been made of his Dominions since the framing of this Oath, either by gain or by loss to the Crown; nothing is more certain, than that he is lawful King of all his Dominions; we may therefore with all security in Conscience conclude, that in the first Clause of this Oath, there is neither Equivocation, secret Reservati-on, mental Evasion, or any just cause to asperse this Oath?

His Bill of Charges runs thus. First, he

he denies it to be part of the Subjects *Allegiance* or Fidelity, to assert the right of his Prince. *Secondly*, in defiance of reason, and his own experience he requires in an Oath, that every word have a distinct sense from others. *Thirdly*, he confounds the plain and common sense of words, obvious to every understanding, with their rigorous sense, known to a few only. *Fourthly*, he forces the words, *testify and declare*, from their plain and common sense, that he may fault the Oath. *Fifthly*, to declare the King's right, so, that no body can justly take it from him, he tells you, is to question the Kings Right. *Finally*, he has a scruple to swear the King is Lawful King of his Dominions; as if Dominion could be his, and not his. Reverend Father, is this Christian Doctrine.

His Fifth Chapter Examined.

THE design of this Chapter, is to render the takers of the Oath perjur'd, as using secret reservations inconsistent with the Oath, obliging them, *to the plain and common understanding of the same words*

G

without

without Equivocation, mental Evasion, or secret Reservation. His first charge of perjury, is from the third Clause or branch of the Oath, which (if you credit him) is thus, *I declare in my conscience before God, that the Pope, neither of himself, nor by any other means, with any other, can depose the King.* Had he been a fair dealer, he would have cited the words as they are in the Oath thus: *nor by any other meanes with any other, hath any power or Authority to depose the King.* Which differs from this other expression, *can depose the King.* For Authority in the Oath, coming after Power, does limit it to a just and Lawful Power; whereas *can depose*, implies a power either just or unjust to depose the King, and the Oath meddles not with an unjust power of deposing him; but, because it is a Maxime in the Law, *id solum possum quod licite possum*, I will suppose he meant well. What does he infer from those words? *that neither the Pope, nor King, nor Prince, nor Emperour, hath any power or Authority to depose the King?* To this I answer him out of his own Instruction, that by these words of the Oath, nothing is designed but an Exclusion of the Popes
 Spiritual

Spiritual power to depose the King. He resumes thus, *do the express words of the Oath bear this reservation?* I answer, here is no Reservation, but the plain and common sense of the words, as they are understood by all man-kind; for, when mention is made of the Pope's Power of deposing Sovereign Princes, who ever understands any other, but such as Popes have claimed; and what Pope ever laid claim to the deposing power, or proceeded to the deposition of Sovereigns, but by vertue of a Commission from Jesus Christ, as being Vicar and Supreme Pastor upon earth? *Gregory* the seventh was the first, that made use of that power; several others have followed his steps: examin their pretences, turn over their Bulls and publick Declarations, and see if they plead not a Commission from Christ, as being Supreme Pastors. This is the sense of *Bellarmin, Suarez, Mariana, Becanus, Hessius, Lessius, Tolet, Valentia, Gretser, Hereau*, and all those of the Society, who with so much heat have advanced the Popes deposing Power. In fine, this is known, and common, even *Lippis & tonsoribus*; so that, though the power of deposing be in it

self Equivocal, and may imply a Spiritual or Temporal power, yet, when 'tis attributed to the Pope, 'tis then fixed to a Spiritual power, and is so understood by all.

He still pursues me thus, that by this Oath, 'tis not only sworn *that the Pope, neither of himself, nor by any Authority of the Church, or See of Rome, has any Authority to depose the King; but also that the Pope by no other means, with any other, has power or Authority to depose the King; which implies that no body can depose the King; not a Pope, nor King, nor Emperour.* I answer that, if this be his consequence, he must needs have a very hard opinion of both the Framers and Takers of the Oath; the one for forcing men to swear against a Noon-day light, and experience, and the others for so swearing. But to defeat this consequent, no more is requisit than to look upon the promise, which is, *that the Pope by no other means, with any other has power or Authority to depose the King.* So that still 'tis the Popes Power or Authority, which is only renounced by this Oath, not any other. For those words can only import that the Pope, what ever means, he

he makes use of, though, he has the Emperour or the great *Mogul* on his side to aid him, has no Power or Authority to depose the King. And this is truth; though it may be, the Pope alone is stronger than the King, and can bring more forces into the field. By this you see what little care he has in deriving his consequences; which, though feeble, he leaves to shift for themselves.

Possibly he may advance farther, and make this Objection. May not the Pope, being a powerful Prince, and injur'd by the King, right himself by force of Arms: and, so, if victory be of his side, dispossess the King of his Dominions? Undoubtedly he may; but not by that Power and Authority, which is renounced by the Oath, as is evident from the common notion all men have of Power and Authority to depose, when placed in the Pope. And therefore, when it shall happen that the Pope does war with the King, or other Princes, if he be stronger than they, he may dispossess them, as they may him; but then this is not done by what we call Papal Power or Authority, but by natural strength and Reason; and, in such cases, we must use

use the same Terms, as custom gives to other Princes, when they are Victorious, as that they *have conquered or subdued such* a Prince or King ; it not being so usual to say, they have deposed such a Prince ; and when the word *deposing* is apply'd to the Power of a Temporal Prince, all men understand it to be a Temporal Power ; but, when 'tis spoken of the Pope, no man thinks upon any other, than his Spiritual Power as Christ's Vicar. When therefore the Pope conquers by his Temporal Sword, the Circumstances he is in declare to the world in what sense the word *deposing Power* is used. From hence I must conclude, that from the common use or plain sense of the word *deposing* (when joyn'd, to the Pope's power without other circumstances) is meant only his Spiritual Power, and that without any Equivocation or secret Reservation ; for, where nothing is conceal'd or hid, nothing is reserv'd.

The next clause he jumps upon is this, *I do believe in my conscience, and am resolv'd, that neither the Pope nor any person whatsoever, hath power to absolve me from this Oath.* This clause he tells you

is

is no more true, than the former, and I am much of his mind. The reason he gives is, *because the King by quitting his Crown may quit me of my Allegiance.* Besides, *the power of Victory transfers Allegiance from one King to another.* This branch, I confess, has not much of swearing in it, but is full of solid Truth. For, although the power of Victory may transfer *Allegiance* from one Prince to another, and the King by quitting his Crown, quits me of my Allegiance; yet that's not done by any Absolution; for *Absolution* or *absolving from Oaths*, are by use and custom, Terms appropriated to Acts of Spiritual or Ecclesiastical Jurisdiction, as is likewise *absolution from sin*; and, in this sense were always understood in this Oath; this being the common notion of the words without any Equivocation or secret Reservation. And, truly, if the Translation of Allegiance from Prince to Prince, or from King to his Successor by a voluntary gift may be termed *Absolution from the Oath of Allegiance*, with as much justice a dying Prince, may be said to absolve his Subjects from their Oath, by Transferring their Allegiance to his Successor,

which was by Oath obliged to the Predecessour; for, though by death the person be taken from the dignity which is continued in the Successour, yet in his sense of *Absolution*, the Subject is as truly *absolved* or quit of his Oath of Allegiance given to the predecessor, as he should have been if resignation had been made to the Successour before death. To allude therefore to the lameness of his discourse, I introduced him in the last answer I made to this Objection, putting this question: *what if the King should dye, is not the Subject quit of his Allegiance?* Shewing by the folly of that question, how far he prevaricated from the true sense of the Oath.

But after all this pother about nothing, let us put the case, that not only the power of deposing in general, but even when 'tis appropriated to the Pope in particular, as also the power of absolving, were Terms Equivocal or imply'd a secret Reservation, is it not in the sphere of Concomitant Circumstances to clear them from that state, and fix them to a manifest Certainty? Thus then I discourse; the design of this Oath, was the preservation of the King, his Heirs and Successors,

cessors, from the pretended Spiritual Power of the Pope in deposing Princes, and absolving their Subjects from their Allegiance. King *Henry* the Eighth, (before this Oath was thought upon) was made an Example of that Power; for though he was not actually deposed, yet the Pope had declared him deposed, his Subjects absolved from their Allegiance, and all persons Excommunicated who should obey him. Queen *Elizabeth* had her share in some sad effects of this Extravagant Power. Upon pretence of this Power it was that the most detestable Powder-plot was laid, to have destroyed King *James* and all the Royal Family in the great Assembly of the Kingdom; for whose safety and defence against this Power the Oath was made. *Bellarmin*, *Suarez*, and others of that School maintain'd that Power by their Pens. King *James* and others (his Subjects) whereof some were Roman-Catholicks, vigorously opposed them. From hence 'tis evidently concluded, that the Power of Deposing and Absolving from the Oath, must be understood of Spiritual Power in the Pope or Church, and that no secret Reservation intervenes, since nothing

is

is concealed which by clear and undeniable circumstances, is not revealed. So ends this Chapter.

The summe of his gains in this fifth Chapter is this; *First*, he corrupts the words of the Oath. *Secondly*, he will have words to signify without rule, *Thirdly*, in signification of words he has no regard to *subjecta materia*, or the matter in hand. *Fourthly*, by virtue of his Logick, he can make one to be two, or two to be one. *Fifthly*, he minds no Circumstances in the understanding of words. *Finally*, to beat down the Oath, he forces the word *Absolve* out of his proper, to an improper sence. Reverend Father, is this Christian Doctrin?

The Sixth Chapter Examined.

THIS Chapter speaks loud, promiseth much and performs little; a deep mouth is a sign of slow heels; for the game which he thought was in his hand, is beyond his reach. Three things he attempts in this Chapter. *First*, to justify the Popes Breves: *Secondly*, to stop the mouth of his Adversary: *Thirdly*, to clear himself of his Loyalty. God send him a
good

good Deliverance. The method to his design is to charge the fifth branch of the Oath with a small parcel of Heresies or Articles repugnant to Faith, in number no more than five. The Pope, though he declares in his Breve, that there are many things against Faith in the Oath, yet in his wisdom thought it fit to conceal them; nay, being from time to time with humble supplication solicited to declare them, would never condescend to any discovery. How came the mystery to be now reveal'd? Is this Catechist the Pope's Nuncio, has he any warrant from him to define what is Heresy? If not, he is deeply guilty of usurping a power of defining, no more appertaining to him, than to the King and Parliament, against whom he is so earnest for using their judgment only of discretion in Censuring a proposition for *Heretical*.

The Clause of the Oath which he now attacks runs thus. *And I do farther swear, that I do from my heart abhor, detest, and abjure, as Impious and Heretical this Damnable Doctrin and Position, that Princes which be excommunicated or deprived by the Pope, may be Deposed or Murthered by their Subjects or any whatsoever.* Before I enquire
into

into the Heresies with which he chargeth this Clause. I have two exceptions against him; the *first* is, that he permits so many synonymous expressions to pass uncontrouled in this Clause, for which he so hotly inveighed against the *first*. For *Doctrin* and *Position*, *abhor* and *detest*, *to swear against*, and *abjure*, seem to march in synonymous couples. My second exception is, that he passeth by this censure *as Impious*, tacitly allowing the Doctrin abjur'd to be Impious, though not Heretical. Whereas in truth, there is the same rule for both; the repugnance to the Word of God giving both denominations; and therefore whoever may swear to abhor a position as *Impious*, may abjure it as *Heretical*. But these are only points of incogitancy; his Eyes and Thoughts being fixed upon a bunch of Heresies which hangs from this branch of the Oath.

The First Article against Faith in this Clause, he declares to be, *for a Secular Power, much more a Protestant, to usurp the Supremacy due to the Church in deciding what is Heretical*. Had he been pleased to have term'd it *against good manners*, for the Secular or Protestant Power to have

have gone before the Spiritual or Church, in deciding what is Heretical, it had been more moderate; but to say 'tis against Faith, 'tis unpardonable. For, what if a General Council should afterwards define the same Doctrine to be Heretical, which King *James* and his Parliament have done in this Oath, (which for ought he knows in good time it may) would they have acted any thing against Faith, meerly because they prevented the Council? If so, then all those Pious Christians, who declared *Arianism*, *Eutychianism*, *Bere ngarianism*, and the like, to be against their Faith, before the three Councils defined the same, did all act against Faith. Nay, the hot *De-fide-men* of the Schools, who so highly value themselves upon their Doctrine, crying out, *The Church, the Church*, at every turn, and knocking their Adversaries on the head, with *hoc est Hereticum*, will not be exempt from this censure; since a thousand propositions have been by them declared Heretical, never thought of by any Council. Nothing is more frequent amongst the Con- sors of Books, than such Qualifications; and shall it be said, they have all usurp'd the Supremacy of the Church in so doing,

ing, or that they have acted against Faith? If so, let them be all Hereticks for company.

The second point he defines to be against Faith in this Clause is, a compliance in *the Swearer with that Usurped Power*; it being, sayes he, an *Approbation of that Usurpation*. Is it not pleasant, that what he has concluded against the Maker, and Swearer of this Clause, may all be true, and yet the Clause it self be clear and innocent? So it is; for a bare Usurpation of the Supremacy in declaring what is Heretical, as also a bare compliance with that usurpation are the faults of the persons, not of the Clause; which may be very good and orthodox whilst the Usurper and Complyer are not. How then comes it to be concluded, that this is against Faith in this Clause?

The third Heresy he fastens upon this Clause, is, *That it makes a doctrine Heretical, which has never been condemn'd by the Church*. I answer, that neither the Oath-maker, nor the Church her self, can render by their condemnation, a doctrine Heretical, which was not so before their Condemnation: If then the Doctrine, which by this Clause is declared to be
Here-

Heretical, be such in its self before the declaration, (as it may be, for any thing now opposed) how can the declaration of it in this Clause be against Faith? Again, do not Catholicks as well as Protestants repute that to be Heretical which is repugnant to the clear Word of God? Do not the Divines in the Schools censure that for Heretical, which is in Opposition to an evident consequence derived from Faith? And is not either of these the plain and common sense of this word *Heretical*? Why then, in the acceptation of that word, must we be ty'd up to his humorous Notion, since common use, which gives life to words, has left us at liberty? And, seeing the Law-maker's Rule of Faith (in whose sense we are to swear) is the Word of God written, if what in this Clause is declared to be Heretical, be truly against that Rule, how is it possible this Clause should be inconsistent with Faith? Is not this an odd piece of Doctrine to be put into a Catechism?

His fourth and fifth charge against this clause of the Oath are, that *it makes that to be Faith, which is not. And that to be Heresy, which is none.* But because I have
only

onely his bare word for this Assertion, I shall only oppose my Negative to his Affirmative. But the truth is, the five Heresies he has charged upon this clause, do all center in this last ; so that all five could be but one, and that's left Unprov'd ; A great Cry, but no Wooll !

To solace Kings, and deliver them from the fears they may be in from the Deposing Doctrine, he tells them that the Deposing Doctrine is no part of Catholick Faith: *Nor doth any man, sayes he, as a Catholick, believe it.* What a rich Cordial is this to the heart of the King ! But I fear it will not much please *Paul* the Fifth, or those who are of opinion that the renouncing the Deposing Doctrine is the renouncing Faith. However, the King has gained this one point of him. And 'tis hoped another may, by a little importunity, be wrested from him. For greater Security then of the King, I put this Question to our Loyal Catechist: Is the Deposing Doctrine no part of Jesuitism ? For (to say nothing now of the King-Killing Doctrine) did not the most eminent Divines of the Society, as *Bellarmino, Tolet, Suarez, Lessius, Becanus, Hessius, Mariana, Valentia, Gretser, Hereau,* and many others ;

and

and some of them to the Kings face
 assert the truth of this Doctrin, and even
 put it to the account of Catholick Faith?
 Again, may a man be a good Subject,
 and hold this Doctrin? if so, where's
 the Kings safety? Nay he is more expo-
 sed to danger than if it were a part of
 Catholick Doctrin? for, in that case, his
 enemies being bare-faced and known,
 he could better provide against them;
 but now he knows not friend from foe.
 Father Whitebread your Provincial (of
 whom I will have the good opinion
 that he neither did tell a lye, nor E-
 quivocate at his death) deliver'd him-
 self thus at his execution; *nor can any
 man as a Catholick believe that 'tis lawful
 upon any occasion or pretence whatsoever,
 to design or contrive the death of his Ma-
 jesty, or any hurt to his person?* This is
 part of his last speech, as I have in my
 last letter to you evinc'd against this Ca-
 techist both out of the copies which
 were printed by Authority, and also out
 of those copies sent by your Fathers to
 Rouen, to be translated into French, and
 printed there; to this I gave this con-
 struction with the Vulgar, to whom he
 address'd his speech, *that no Catholick can
 believe*

believe it lawful to design the death of the King, &c. Against this construction your Catechist excepted in a former print, and by these words, *no man as a Catholick can believe it lawful to design the death of the King*, he tells us is only meant, that 'tis not a part of Catholick Doctrine, to believe it lawful to design the death of the King, not that it is repugnant to Catholick Doctrine. So that Father Whitebread, notwithstanding his fair speech, might (upon other principles) have believed in his heart that it was lawful to design the death of the King. Now, if this be not to Equivocate with his Auditors at his death, I have lost all my senses; and do appeal to the judgment of man-kind if by this he could clear himself of what was laid to this charge, which was his main design. By this you may clearly see what little security accrues to the King by this position or principle, *no man as a Catholick can believe it lawful to kill the King*, when at the same time, this other position may be true too, *any Catholick may believe it lawful to kill him*. This is the deduction he makes from the last words of his Provincial.

Against

Against the security, given the King by the Oath of Allegiance, he argues thus; *After a man has sworn the deposing Doctrine to be Heretical, he may afterward find it not to be Heretical, as one may easily do; then is he free from this Oath.* I suppose if this had been so easy to find, this Catechist and his Consorts would not have laboured so many years in the inquest of it, to so little purpose. In the mean time we will stand to the Doctrine of the Oath, and (as we have just cause) believe it unchangeable. And so long the King may sleep securely. But what assurance has the King from the Linsy-Woolsy Oath of this Catechist, which is, *that he will never hold nor teach this Doctrine of deposing, though it be not Heretical?* Is not this to reckon without his host? How can he swear this without consulting the Pope, or his General? Has he so soon forgot the men of his order, who have taught the deposing Doctrine, and might have continued so doing till this day, if a timely period had not been put to it, by a severe prohibition from the General? And was this prohibition any more than a positive order, mutable at the discretion of the General? And

when the interest of the Society may require it, may not this prohibition cease, and a new positive order be given under the same precept of strict obedience, to advance the deposing doctrine? May not the Pope whom he styles Judge in the case of all Oaths, declare this new Oath to be unlawful, it being against the exercise of his Power owned by many of his Predecessours? Will he in these events disobey his General, and the Pope? If not, adieu Oath, farewell Allegiance, and good night King.

In a former dispute with this Catechist, I asserted the particle *as* in this censure, *as Heretical*, to import either Identity with Heresy, or only a Similitude to Heresy, and that both of them were the plain and common notions of the particle. To this he now replies, that, though the particle *as* may sometimes imply Identity, and sometimes Equality, yet in our present Circumstance it can only import Identity, because it then only brings Equality, *when it relates to different Subjects, which.* says he, *is not in our case*. Then he exemplifies in this proposition, *let him be to thee as a Heathen*, where he owns that a Similitude only

ly or Equality intervenes, because the particle *as* relates to different Subjects. For my part looking upon the particle *as* in these two following propositions, *let him to thee as a Heathen*, and this other, *let him be to thee as an Heretick, or as Heretical, or Diabolical, &c.* I see no difference in the particle *as* that in the first it should import similitude or Equality, and in the last Identity; For, to say that the particle relates to different Subjects in the one proposition, and not in the other, is to begg the question; for of this 'tis we enquire, whether the particle *as* signifies *Sameness*, or *Difference* in the Subjects unto which it relates.

To enlarge himself upon this matter, he pretends to a general rule, how to know when the particle *as* implies Identity; which, if you will believe him, then is, when *it applies an Adjective to a Substantive*. Let's make experiment of this Rule in these two propositions, *let Peter be to thee as a Heathen*, and *let Peter be to thee as an Heretick, or as Heretical, Diabolical, or what he pleases*. All these predicates are Adjectives, which do fall upon the Substantive *Peter*. In the first proposition he owns the particle *as*

to imply only similitude or equality, and yet the word *Heathen* is an adjective, as much as *Heretick*, *Heretical*, or *Diabolical*; for there are heathen Women, and heathen Doctrines as well as heathen Men; clearly then the rule fails in his own example. Now, that a General Rule should allow an Exception is no great wonder; but, that the Exception should lye in the very example, urg'd by the propounder, is prodigiously absurd.

The particle *as* being thus common to Similitude and Identity, he puts this question to himself; whether in this clause it may be restrained by the swearer to a Similitude, and he answers himself negatively; because, if both senses be not sworn to, there will be a secret Reservation which the Oath excludes. But I must beg leave to dissent from him; for, when a word may have two plain & common significations and no Circumstances do bias it to one more than to the other, 'tis in the swearer's choice to use it as he pleases, so he swears truth in either sense; nor is there in so doing any danger of secret or mental Reservation, which then onely happens, when a part of a proposition is pronounced by the mouth,

mouth, & another part is reserved secretly in the mind to piece up the whole, so that without it the sense (as intended by the speaker) would not be compleat. As if, you asking me whether I did such or such a thing, I answer *no*, reserving in my mind, *so as I am obliged to tell you*; this later part of the proposition is secretly reserved, and so the proposition is vicious, because it is destructive to Humane Society. But, in our case, where a word or proposition may have two plain and common meanings, and both true, I may swear the one, and abstract from or not mind the other, for I reserve nothing in my mind to piece out, the sense of the proposition, since my meaning is what the words do plainly and exteriorly import; and since both senses of the proposition are true, it imports not in what sense I took it, for either of them satisfies the Magistrate, and so no body is deluded.

I affirm'd it was a rule in all Laws, that if a word may have two Significations, whereof one renders the Law Just, the other Unjust, it ought to be taken in that sense which renders the Law Just. Also, I added that in Penal Laws, words

are to be interpreted in the most favourable sence. To this I have his Assent as to other cases, but not in this; because by the words of the Oath, sayes he, *All mental Evasions, and secret Reservations*, are excluded. I answer, out of my foresaid Notes, that when a word is equivocal, or a sence in a proposition seems to be reserv'd, if circumstances do determine it, then 'tis no more Equivocal nor the sence reserv'd; for, what is not conceal'd is not reserv'd. But these Rules of rendering the Law just by a fit interpretation of words, and favourable in penalties, are circumstances so known, that if any thing were otherwise Equivocal in this Oath or seem'd to be reserv'd, they fix them to a Just and Favourable sence; consequently, as to the point of Justice and Favour there is nothing concealed, so nothing Equivocal, nothing reserv'd. This I bring *ad abundantiam*, not that there is any need of this Observation for any thing now oppos'd, since the words are left in their plain and common sence. And, as to the word *Heretical*, the Circumstance of the Law makers, owning the Scripture to be their Rule of Faith, hath determined it's Sence. And, if it had

had not, yet the Oath, abstracting from materially or formally Heretical, terms of School-invention, may be taken in that Abstraction; as I may swear a man is a Living Creature, though by my words 'tis not resolv'd what living Creature he is.

Reverend Father, when you see a Catechist advancing his own Figments in lieu of Christian Doctrine, you cannot but think his case desperate. In all my disputes with him and his Consorts, I required for the taking this Oath the same certainty which all mankind expect to find in all other Oaths; that is, a *rational judgment or moral certainty*; for, these are my words which he read in my Letters now cited; but, by his wonted Artifice, he conceals them to possess his Reader with this Errour, that I hold Opinion in the Swearer defence enough against Perjury, and that the Oath runs to this purpose, *I think the Pope cannot Absolve me, I think that Doctrine is Heretical. I think King Charles to be my lawful King, &c.* Whereas in truth there is not any thing of this found in all my Letters. Upon this sandy Foundation he builds his Castles. True it is I asserted, that

that a Moral Certainty was consistent with an Absolute Possibility of the thing being otherwise ; and that, therefore, the swearer did only assert the truth of the thing as it is in his Conscience or Rational Judgment, not always as it is in it's felt, otherwise few or no Oaths would be taken ; and that this Moral Certainty would render the swearer secure in his Conscience from all Perjury, and justify him before God and Man. Whereas, to swear positively what he thinks to be true, is, if not perjury, at least to expose himself to it, which (though what he swears happens to be true) leaves a guilt upon his Conscience, and renders him in-excusable before God and man. By this you may see the Impostor detected, and his Ignorance exposed, in not distinguishing betwixt the two Certainties, Moral, and Metaphysical, and also Opinion ; the first admitting an absolute possibility of a thing being otherwise than is affirm'd, the second excluding it, and the third standing with an actual fear and doubt that the thing is otherwise. I conclude then, that he who takes this Oath, must not onely think, but must be Certain, and verily judge, that the

the King is *Rightful and Lawful King, &c.*
and that the deposing or murdering
Power is to be renounced as *Impious and*
Heretical.

Against this Conclusion, he opposeth
his Evidence for the contradictory part;
and, his reason is, because he is certain,
there is no definition of the Church to
make it Heretical; and he is as certain
that neither private Men, nor Uniuersi-
ties, can make it Heretical. I answer,
that neither they, nor Bishops, nor Popes,
nor Councils, nor Angels, can make any
Doctrin Heretical, but only the Opposi-
tion it has to the Word of God. Again,
I answer, that to disobey my Prince in
Temporals, is as Opposit to the Word of
God, and also to the Doctrin of the
Church, as 'tis to disobey the Pope in
Spirituals; if therefore it be Heretical to
teach it Lawful to disobey the Pope, 'tis
full as Heretical to teach it lawful to dis-
obey the King. And, if it be Heretical
to teach it lawful to disobey him, 'tis
equally Heretical to affirm it lawful to
depose him, which I think is the worst
kind of Disobedience. Finally, I have al-
ready evinc'd, that a Doctrin may be
Heretical before any Definition of a Ge-
neral Council.

Before

Before the end of this Chapter, he refers us to the *Sorbon*, and bids us examine what Opinion that famous School held, as to this point, in *Henry the third*, and *Henry the fourth's* dayes, as also at the Siege of *Breist*. I have, upon several exigences, enlarged my self upon this passage, being forced unto it by his and others importunity; and, since he is delighted with the repetition of it, I shall reduce into a summary what is more diffused in my Letters. Thus then; This Doctrine, within the compass of these times, was declared (to omit a score of other severe Censures) to be contrary to the word of God. And not only by the *Sorbon* was it thus declared; but also by seven more Universities; as *Caen*, *Rhemes*, *Toulouse*, *Poitiers*, *Valence*, *Bordeaux*, and *Burges*; and all this in the year 1626. This Doctrine, as being against the word of God, was censured by the faculty of *Paris*, in *Bellarmin*, *Suarez*, *Betanus*, and *Santarellus*; whereupon, by order of Parliament, some of their Books were burnt. And this Doctrine so Censured by the *Sorbon*, to be against the word of God, the most eminent of the Society in *France*, did solemnly engage by a promise signed under their

hands

hands, dated *March 16. 1626.* to subscribe; by which instrument also they faithfully promised *never to profess any Opinion or Doctrine contrary to what shall be maintained by the aforesaid Clergy and University of the Kingdom, or the Sorbon in this matter.* Finally, by decree of Parliament, *June 27. 1614.* the Fathers of the Society throughout *France*, were obliged, under pain of High Treason, to preach in their publick Sermons against the Deposing Power, as being repugnant to Christian Doctrin, which accordingly they did. Thus in short, have I given you the Transactions of *France*, and the *Sorbon*, relating to the affair in hand.

He interrogates thus, Did the *French Jesuits* subscribe to the *Censure*? I answer, they promised to subscribe; if then they did not subscribe, they were to blame; an honest man will stand to his promise. Their promise is extant, dated *March 16. 1626.* He proceeds; Did they subscribe the *deposing doctrine* was *Heretical*? My reply is in the Affirmative; for whoever subscribes a doctrine to be against the word of God, subscribes it to be *Heretical*. In the upshot, he desires to know, whether they subscribed it any more than as
their

their own Opinions? And I must declare, that I cannot resolve him, whether they did subscribe it so much as their own Opinion, or against it. However, if they stand to their promise, and subscribe to the Censure, that being positive, the Subscription must also be Positive; unless he knows of any Exception made in their Declaration.

This Chapter has put him to Charges; the Summe Total is, *First*, a discovery of his Ignorance in the notion of what is Heretical. *Secondly*, he numbers the same thing five times over, and knows it not, because it is differently worded. *Thirdly*, he dreams of a Clubb of five Heresies in one branch of the Oath, where none but himself can discover any. *Fourthly*, to swear the deposing doctrine to be Heretical, he fancies is no Security to the King; as if the owning his Crown to be from God is of no force. *Fifthly*, though the deposing doctrine be never so often taught and practised by other Principles, yet, if it be not a part of Catholick Belief, he thinks the King safe. *Sixthly*, he will not own that there is any security in the Oath of *Allegiance*, though the swea-
Seventhly,

Seventhly, he makes the Pope judge of the Lawfulness of all Oaths, and yet offers to take an Oath in defiance of the Pope. *Eighthly*, he gives a Rule for the particle *as*, and in the application contradicts himself. *Ninthly*, he understands not the meaning of a Secret Reservation. *Tenthly*, he imposes upon the defenders of the Oath Opinion in lieu of Moral Certainty. *Eleventhly*, he confounds Moral with Metaphysical Certainty. *Twelfthly*, he takes Councils to be Authors of our Faith. *Thirteenthly*, he is an ill bird, and beraies his own nest, discovering the shame of some of the Society in *France*. *Fourteenthly*, he dodges about the Subscription of the *French Jesuits*, now owning, and then disowning it. Finally, he scruples to be an honest man, that is to swear to what he subscribes. Reverend Father, is this Christian Doctrine.

The Seventh Chapter Examined.

IN this Chapter a *Hue and Cry* is made after the former Clause; 'tis again search'd into, and a new Evasion brought to light. The clause is, *I swear that I do*
from

from my Heart, abhor, detest, and abjure as Impious and Heretical, this damnable Doctrine and Position, That Princes which be Excommunicated or Deprived by the Pope, may be Deposed or Murthered by their Subjects, or any whatsoever. This Proposition, (he tells us) as being exposed to Quibbles, is not proper to be sworn by every Ideot. I am much of his mind. But this Proposition as it is exposed in the clear Terms of the Oath, and not quibbled upon as Sophisters, is proper enough to be sworn, not indeed by every Ideot, such as the Laws of God and Men exempt from Oaths; but by the Illiterate as well as the Literate; for would he, and some few others, lay aside their learned Obscurities, by which they design to darken all that comes in their way, the proposition, as it lies, is intelligible to all those whose Capacity does fit them for an Oath.

For the better understanding of the Scruple, he allows it to be Heretical to assert it Lawful to murder the King, but not to Depose. This supposed, he argues thus, *I do not swear the proposition, saying a Prince excommunicated may be depose and murdered, but may be deposed or murdered, to be Heretical.* My first reply

ply shall be, that it is equally against the Law of God to assert, that a Prince Excommunicated may be *Deposed*, as it is to assert that he may be *Murthered*. For he who by his Command obligeth us not to murther, does equally oblige us not to Steal or Rob. Since therefore to depose a Prince is to rob him of his Crown, 'tis against the Law of God, and, consequently, 'tis heretical to affirm it Lawful. He ask's, *who has defin'd it?* I answer, God in the Decalogue, in Holy Scripture, by Universal Tradition, 'tis written in the hearts of all good Christians, and the repugnancy to any one of these principles renders a position Heretical.

My second reply is, that in case I should allow him that the doctrine of deposing were not heretical, yet the proposition sworn in this clause to be Heretical would still be so: For, if it be Heretical to affirm it Lawful to murther the King, then for murther's sake 'tis Heretical to assert it Lawful to depose or murther him. For Example, if it be a Heretical position to say it is Lawful to do evil, he that shall say 'tis Lawful to do good or evil, delivers a position heretical; for,

by that position 'tis left to a man's choice to do either lawfully : If therefore either of the parts of that position be heretical, the whole must be so, because *bonum ex integra causa, malum vero ex quolibet defectu*. He concludes this assertory part of the Oath with a Quere or two; *first*, how a man can swear *that this Oath is administer'd unto him by good and lawful power*? I answer, because it is administer'd unto him by his Lawful-Magistrate impow-
 erd by God so to do. *Secondly*, how he can swear by this Oath, *heartily, willingly, and truly upon the Faith of a Christian*? I answer, because 'tis the will of God that Subjects perform their duties to their Prince, not repiningly but cheerfully, *hilem enim datorem diligit Deus*.

His accounts of this Chapter are but short. *First*, he denies it to be Heretical to teach it Lawful to rob or steal. *Secondly*, he weighs not the truth of this maxim, *bonum ex integra causa, malum ex quolibet defectu*. *Thirdly*, he wonders how a Magistrate can administer a lawful Oath. *Fourthly*, he quarrels with Subjects for swearing Allegiance to their Prince heartily, willingly, truly, and in the Faith of a Christian. Reverend Father, Is this Christian Doctrin? *His*

His Eight Chapter Examined.

THis is a Chip of the Old Block, still tautologies, still repetition of old stories. The Assertory part of the Oath is again excommunicated from an Oath of Allegiance, and my task is to Absolve it. Again, then to assert by Oath the Kings Right, when required, and to renounce all power to depose or murder him, is the duty of every good Subject, and without which to promise Allegiance would be a vicious and an unjust Act. And, since the Oath is made out of both parts, my inference, in opposition to his, is, that by this Oath nothing but pure and candid Allegiance was intended by the Law-maker.

We are now arrived to the promisory part of the Oath, against which he seems to have only this exception, that the swearer by it does promise to disclose, not only *all traiterous Conspiracies against the King*, but *all Treasons*. Now many most important points of Religion being by the Law made Treasons (as to maintain any Authority in the See of Rome, to be Ordained Priest by Authority derived

*from that See, and then to come and remain
 in the Kings Dominions, to reconcile or
 be reconciled to the Roman Religion, &c.)
 he cannot (sayes this Catechist) make dis-
 covery of these things without betraying
 his Religion, and he who will do so, will be
 a Traitor to his King. For my part I see
 no necessity why the swearer should be
 reputed a Traitor either to the one or
 the other ; since both the Law and Law-
 makers, as also practitioners in the Law,
 or Custom (all which are the best inter-
 preters of the Law) do exempt him from
 such discoveries ; as shall be evinced by
 this following induction. The Statute
 wherein the Oath is contained assures
 him that the design in framing this Oath
 was, *for the better tryal how his Majesties Sub-
 jects stood affected as to their Loyalty.* The
 Law-maker himself, that King for whose
 safety the Oath was made, forecasting that
 some unhappy Catechist would wrest all
 things in the Oath to the worst sense, pre-
 vents his Objection by declaring *that
 nothing is by this Oath required but a pro-
 fession of that Temporal Allegiance or Civil
 Obedience, which all Subjects by the Law of
 God & Nature do owe to their Lawful Princes,
 with promise to resist and disclose (pray ob-
 serve**

serve what) *all contrary Uncivil violence.*
 Premon. pag. 9. Now to maintain a
 Spiritual Authority in the See of *Rome*,
 to be a Roman Priest, to reconcile or be
 reconciled to the Roman-Catholick
 Church, are not things repugnant to that
 Temporal and Civil Allegiance, which
 all Subjects by the Law of Nature do
 owe to their Lawful Sovereigns: Clearly
 then the discovery of any of them comes
 not within the verge of this Oath: And
 therefore the Charge which is brought
 of High Treason against a Priest at the
 Bar has no connexion with the Treasons
 to be discovered by vertue of this Oath,
 Roman Priesthood being only Treason
 by a particular positive Law, and all the
 Treasons to be revealed by this Oath,
 are onely such as are against Temporal
 and Civil Allegiance due to all Princes
 by the Laws of God and Nature.

The next Expounder of the Law is
 Custome (*Optima interpret legum est consue-*
tudo) by which all words are to be regu-
 lated. To Custome then I appeal; and
 demand whether ever any Person of
 Worth and Honour amongst Protestants
 who have taken this Oath and are ac-
 quainted with Priests, and persons by

them reconciled to the Roman Church, do think themselves in Conscience oblig'd to discover them, believing them guilty of no other Treason than that of Orders, and reconciling or being reconciled. That they do not, is more clear than Noon-day light. Nay, 'tis observed that none but the scum of people, who either out of Malice to some private person, or for filthy lucre, are Informers of this Nature; and, as such, are by Protestants themselves reputed vile. And, whereas the Law has provided penalties for those who conceal such treasons as are against Natural, Temporal and Civill Allegiance, yet the bare knowledg of a Priest and not revealing him is not punished by Law.

To reinforce the Objection he argues thus. *The signification of words is taken from the will of men, which cannot be more clearly expressed than by their Laws;* since then by the Laws these things above mentioned are Treasons, and all Treasons by this Oath are to be discovered, it seems to him evident that those also ought to be discovered, or a secret Reservation (excluded by the Oath) must inte vene, rendering the swearer perjur'd: This is the Sum of his discourse. To
which

which I thus reply ; that, though words signify by the will of men, and the will of men be expressed by their Laws, yet the words of the Law cannot alwayes express the will of the Lawmaker unless vested with concomitant Circumstances; for if a word in a law may have divers senses, it must be fixed to some one in particular. This being so, and the word *Treason*, in the Oath being by all Circumstances (as by the words of the Statute, by the design of the Lawmaker interpreting his own Law, and by common use and practise of the Law) fixed to such a determined sort of *Treason*, that, and onely that, is by vertue of this Oath to be discovered. Nor is there room here, for any secret reservation: for, these Circumstances laying all things open, nothing is secret, nothing reserved. My conclusion of this Chapter, in opposition to his, shall be, not like him to applaud myself, but to referr my Answer to men of impartial Judgment; to whom I present this following account.

First, he excludes from an Oath of Allegiance the first and greatest Duty of a Subject to his Sovereign. Secondly, he is endless in his repetition of the same

thing often answered, without advance. Thirdly, he is incorrigibly obstinate against the plain words of the Law, Law-maker and practise of the Law. Fourthly, he minds not Circumstances to understand words by. Finally, he puts a Reservation where nothing is reserved. Reverend Father, Is this Christian Doctrine?

His Ninth Chapter Examined.

Nothing is more usual with him than to reckon without his Host; he is not content to style the Pope Chief Judge in Spiritualls, unless it be with the Lustre of *Sovereign*; a Character, which, may be, the Pope himself will not admit, and those who maintain a General Council to be above the Pope will not allow. Though he supposeth it as a known maxim. True it is, amongst the Roman-Catholick Prelates the Pope is Chief Judge, but they are also *Jure Divino* Judges. So that in the Court of Judicature he is neither Monarch nor Sovereign. But, suppose he were Sovereign Judge in Spiritualls, as the King is in Temporalls, does it follow from hence that I must rather obey the Pope by

by refusing the Oath than the King by taking it? Yes, sayes he, because the *Lawfulness or Unlawfulness of an Oath, as a point of conscience, lyes within the verge not of a Temporal, but Spiritual Jurisdiction*. If so, I believe the new Oath of Allegiance which he offers the King in the name of Catholicks, will end in a juggle; especially he declaring with certainty the Pope to be Infallible Judge: for, though it does not renounce the Pope's Power of deposing, yet it stands in defiance of that Power, and renders it vain & ridiculous, as never practicable; nay the Subject swears by it that he will stand by the King, and disobey the Pope, if he attempts to depose him. And, can any man of sence perswade himself that such an Oath can be acceptable to the Pope who claims the deposing power? will he ever permit such an Oath without declaring it Unlawful. And, if he shall declare it Unlawful and by his Breve prohibit it to be taken, must he not be obeyed as an Infallible Judge? By his Doctrine, 'tis Evident he ought. You see then, this Catechist by the offer of his new Oath designs to delude both Pope and King. But this answer is only *ad haminem*. My

My Second Answer more direct is, that, the King being the sole Judge in Temporals, 'tis presumed he best knows his own Temporal Concerns, and the Extent of his Power, as the Pope does his in Spirituals; if then, in the defence of his Right in Temporals, he frames an Oath to be taken by his Subjects, and declares (as King *James* did) that he requires by that Oath nothing but Civil or Temporal Allegiance, and, if it be clear unto his Subjects that nothing is comprehended in the Oath but Temporal Allegiance, my Answer, I say, is, that it is within the verge of the Temporal Power to judge of the Lawfulness of his own Oath; for the Lawfulness depending upon the good or ill design of the Law-maker and the words of the Oath, of which himself is the Interpreter, the design being only to contain his Subjects within the bounds of their Temporal Duty, and the words importing no other than Temporal Allegiance, whoever wrests his words from the design and sense by him declared invades his Right. Otherwise, the Pope asserting his own right or power to depose Kings, may, and will render all Oaths, repugnant to that Power, illegitimate.

mate. For, 'tis but declaring them to be against his Spiritual Power, and all is in his own hand, and the question of deposing is at an End. Nay, at this rate of arguing, the Pope may hedge in all things within the Circle of his Jurisdiction; for, since there is nothing that bears not the badge of Good or Evil, Lawful or Unlawful, all things must be brought to the Spiritual Court; and then what need of Kings, when the Spiritual Power alone can govern the Universe?

Thirdly, Admit the Pope were Judge, as to the Legality, or Illegality of the Oath, must his Decision always prevail? what if he were impos'd upon by Sycophants, as is the fate of all Princes more or less? what if he gave too much credit to sinister suggestions; as that *his Supremacy in Spirituals was invaded*, his power of *Excommunication*, and *his Jurisdiction of Binding and Absolving* wrested from him? Now, that he was in these unhappy circumstances, is too evident to those who have perused the Books of the Mis-informers against the Oath, all of them using such figg-leaf pretences.

But let us also allow that there was fair dealing in the Informers, may not this
Judge

Judge be too Indulgent to his own private Opinion; and so as to deceive himself, and others? Undoubtedly he may; for on all sides 'tis confess'd that Popes may err in their private Opinion; and as clear it is, that, the error once discover'd, nothing can justify an Obedience to such a Power or Judge, when the Crowns and Lives of Princes, the Catholick Religion, and the Fortunes, Liberties and Lives of all Catholick Subjects must otherwise become a sacrifice to his Errour. To this great truth I have the Pope himself assenting; *Innocent* the Third a great and wise Prelat, who (as he is cited by a learned Cardinal, *Franc. Zabarel. de Schism.*) declares thus: *We are not to obey the Pope when there is a vehement presumption, that the state of the Church may be disturbed, or other mischiefs like to follow. Nay, it were a Sin to Obey, because every one is bound to prevent future evils.* *Innocent. de sent. Excomm. cap. inquisit.* But another great Cardinal warrants us, in such cases, not to obey the Pope, though he should proceed even to Excommunication; so *Panormitanus* Alledged by *Sylvester* in these terms; *We are not, sayes he, to obey the Pope, if it may be presumed our obedience will*
trouble

trouble the state of the Church, or because of any future Evil or Scandal, though the Precept were under pain of Excommunication latae sententiae. Sylvester ex Panormitan. *verbo obedientia. num. 5.* Cardinal Tolet a Jesuit avers the same truth. Tolet de sept. peccatis mort. cap. 15. in a more ample manner, so also many others. To take away the Ground upon which I now stand, he tells me, that is the general sentiment of Catholicks, that the Pope is Infallible in points of Doctrine. First, I demand how many Catholicks he has consulted upon this point wherein he is so positive? For I believe they will not stand to his engagement, at least in so considerable a number. To father opinions upon all Divines, all Catholicks, the whole Church &c. are tricks now so common that they will take no longer. Secondly, that in considerable number in the Church which defends Personal Infallibility, do they hold the Pope otherwise Infalible than defining Faith *ex Cathedra*? And will any man assert the Pope's private Letters to the Catholicks of England (for so Eudemon one of your Fathers terms them) to be Definitions of Faith? If so, pray what point of Faith is defined by these Breves? can there

there be a definition of Faith, and nothing defined? Again, was it ever heard, that a Definition of Faith was sent in a Letter to a small number of men, and not directed to the Whole Church? Besides, where are all the Formalities, all the Ceremonies which the *de-fiae* men themselves seek for for in Faith-definitions? Is not this to render the Catholick Faith more absurd than her very enemies could wish it?

But, for a more easie dispatch of the Errour of our Catechist, who engages for Popes more than they will for themselves, I shall shew you what sence some of the greatest and humblest of Popes had of their own frailty in being often surprized by mis-informations; upon which, by an exigent of feeble nature, they were forced to ground themselves. Gregory, truly the great, seeing some to wonder that a Pope should be by misinformation circumvented, replies thus; *why do ye wonder that we are deceived being but men? Have you not observed that David a King who had the Spirit of Prophecy, gave an unjust Judgment against the Son of Jonathan; who therefore will think it strange that impostors should surprize us sometimes; As, I say, who are no Prophets. We are ever*
whelmed

whelmed with affairs; and our spirits being diverted by so many things are the less attentive to any thing in particular, and so may be more easily mistaken in some one thing. Greg. Dialog. 1. Chap. 4. After him I offer you Alexander the Third, who in his Breve or Letter to the Archbishop of Ravenna (which is now a Law in the Canon) declares thus, *If it happen sometimes that we send to your Fraternity such Decrees as you are not satisfied with, trouble not your self at it, for you may either with reverence put them in execution, or give us an account why you think you ought not. And we shall take it well at your hands, that you execute not any decree which might have been procured from us, either by surprize or Artifice.* Cap. Siquando in rescrip. Thus may you see these two great Prelates confuting our little Catechist, by owning that in their Letters or Breves, they may be Circumvented by Surprize and Artifice.

Personal Infallibility he confesses, is no Article of Faith, but I judge it (saith he) definable. Well then, we are in a fair way of having a new Article of Faith, if the Church will rely upon his judgment. But, if I mistake not, the Church will have

have more than his pretended *Certainty*, which he assures us is *very great*; but, to what degree, whether of a high Probability, Moral, Physical, or Metaphysical Evidence, he knows not: To evince this *Certainty* (whatever it be) he drops two or three Topicks with this enforcement; *who can think this, who can judge that, who can imagine or surmise another thing?* So that, if you do but *think, judge, or imagine* otherwise, his Topicks are non-plust. And I cannot blame him to touch them onely gently, since he knew both *Protestants and Catholicks* had often answered them beyond reply.

Quitting at last his post, or his pretence to personal infallibility, he brings into a parallell the Spiritual with the Temporal Judge thus; *If the Pope may be disobey'd in the point of Conscience, why may not Secular Judges be disobey'd in Temporalls?* I answer, that neither of them against the Law of God is to be obey'd. And whereas he would conclude, as from a maxim, that a sentence of a Judge passed upon Misinformation, ought to stand good, *untill it be repealed by himself better informed, or by a Superiour*. Nothing is more certain, than that every sentence of a Judge

(be he Pope or King) which is repugnant to the Law of God, is *ipso facto* void or null, and that without farther demur. This he tells you is a way to pervert all Judicature, *and to place every private person above the Judge.* My reply shall be, to put him in a Circumstance where his Superiour or General to whom he has vow'd Special Obedience, layes his Commands upon him which in his Judgment clearly controul the Law of God; Then I ask him, What he would do in that case? Will he obey? 'twill be a sin against his Conscience, which dictates to him out of the Gospel, *That he must obey God rather than man.* Will he disobey? That cuts the throat of his own Argument; for then the Objection returns upon him, that this is to confound all, and *place every private person above the Judge.* What this Catechist will do in this case I cannot resolve; but, for my part, I would do what all good men have done upon the like occasion; that is, I would make use of my Reason which God has given me; and, if it be clear unto me, that my Superiour (be he Pope or King) commands me to sin against the Law of God, I should freely disobey him;

K

but

but with this submission, to receive what penalty he shall inflict upon me within his sphere ; for this the nature of all Government requires. Now, by doing this, I cannot be said to judge the actions of my Superiour with the judgment of Authority ; but I make use of the Judgment of Discretion, by which I and every man is to govern his Actions. And, if this Rule be observed, there can be no danger of placing a private person above the Judge ; for he submits to the punishment of the Judge, and onely prefers God before Man.

His next position is, *That the Pope may judge in his own Cause.* To this I answer as I did in my last, (though according to his custome he over-leaps it) that, where there is a just cause of Dispute, as he owns there is betwixt the Pope and all Kings in point of Deposing, there is truly party and party ; nor can either of them be Judge. For, though both of them will Judge for themselves, because neither will own that the other has a just cause to dispute ; yet, if truly there be just cause of dispute, neither of them can be properly Judge ; for, if one be Judge, the other must submit to his decision, and so can have no just cause to dispute.

Our

Our former discourse has been built upon the supposition that the Pope had authentickly prohibited by his Breves the Oath to be taken; so that what follows, as it is in the dark, so if it were allow'd him for true, 'twould advance nothing to his conclusion. But I cannot let pass his Confidence, in being so positive that Mr. *Blackwell* published the two Breves of *Paul* the fifth; whereas, it is evident, both out of Mr. *Blackwell's* own writings, that he was so far from publishing them, that he severely reprov'd Dr. *Worthington* for doing it without, nay, against his Order; without which no publication could then be Authentick; and at the same time he writ unto all the Clergy, the Gentry, and Nobility, animating them to take the Oath; declaring it to be a duty incumbent upon them by the Law of God. Nay, the Fathers of your Society themselves (whose importunity had procured from the Pope this irregular power of an *Arch-Priest* in lieu of a *Bishop*, thinking to have served themselves of him when first they presented him to the Pope) have, and do lay it to his charge, that he refused to publish them. And what afterwards was done either by Mr. *Birket*, the next Arch-priest, or Bishop

Smith, is so obscure, and of so little concern to the main dispute, that to redeem farther trouble of arguing it with him, I shall rather afford him some grains of allowance, and refer him to my foregoing discourse, than trifle time, in a matter, which, though it be granted, will avail him nothing.

Another instance of mis-information I took from the word *Murther'd* in the Oath, which was translated by the term *Occidi*, which is a Generical word, and may be used in a good or bad sence; whereas the word *Murther* is alwayes the Killing a man against the Law of God. He answers, that, if this were so, then when the Command, *non Occides*, is translated into this English, *Thou shalt not Kill*, it were to misinform the People of God's Command. His Inference would be very proper, if the Church in her Catechism did not declare what sort of Killing God did prohibit by his Law, reserving to the Magistrate the power of the Sword; and this Answer was given him before, it being an Objection I had made by way of anticipation; for there I reply'd, that in the Decalogue the Church is not ty'd up to the plain and common sence

sence of the words, as we are by the Oath. Then he asks, *Whether any can think the word Occidere apply'd to the Sacred Persons of Kings, can signifie Chance-medley; if not,* sayes he, *it implies an Unlawful Killing.* How? Is there no mean betwixt Chance-medley, and Unlawful Killing? What thinks he of Killing by the stroke of Justice? Is that either Chance-medley, or Unlawful? Again, what conceit has he of all those Authors cited in my former Letters for defending the Lawfulness of Killing Kings in case of resistance after deposition? Did they not believe and maintain, that deposition did desecrate their persons, and consequently, that Killing them, in case of refusal to be deposed, was lawful? Did they believe it either Chance-medley, or Unlawful? Pray let him peruse the places cited, and then give his Judgment. Since therefore words are not to be understood at his rate, I conclude that the plain and common sence of the word *Murther*, which the Oath requires we should stand too, is not expressed by *Occide*; consequently the Pope was imposed upon by the Translator, & the Oath forbidden is not our Oath of Allegiance. The Pope having by his Breve decla-

red that, it must be well enough known to us that the Oath without prejudice to Catholick Faith and Salvation of our Souls cannot be taken, since it contains many things which are manifestly repugnant to Faith and Salvation, from this declaration I argued thus; that, since we our selves are of all men most conscious to our selves of what we know, or of what we are ignorant (that being a matter of fact, for the most part depending from our senses, and alwayes concealed within our own Breasts) and, since it is so far from being well enough known to us that there is any thing in the Oath repugnant to Faith or Salvation, that neither our selves could ever discover it, nor our Adversaries, whose concern it is to discountenance this Oath, could after so many years industry point it out, from hence I say I conclude that it was not the will of the Pope to oblige us by his Breves to abstain from taking this Oath. And from this knowledge derived from senses and thus concealed, I asserted that every man knows what he knows and also what he knows not much better than any man, even the Pope can tell him. Upon this to render me disrespectful to his Holyness he singles out some

some of my words from their fellows by which they are to subſiſt, and then declares that I challenge the Pope to make good his words; when it is rather an humble Submiſſion, profeſſing our Ignorance of what the Pope ſuppoſeth us to be knowing. After this, he runs himſelf out of Breath with queſtions already answered, as thus, *Is not this againſt Faith, is not that ſo, is not a Third, Fourth, and Fifth thing ſo?* To all which in their due places I have given my answer. Now to the levelling of his accounts for his *Nineth Chapter.*

Fiſt, having declared the Pope to be the Sovereign Judge of the Lawfulneſs of an Oath, at the ſame time he offers to take an Oath in defiance of the Pope's Power. Secondly, he owns the King to be Supream Judge in Temporalls, yet will not allow him to Judge of what is Temporal in the Oath. Thirdly, he would have the Crowns of Princes, the Lives and Fortunes of Subjects to ſtand or fall from the Single and Bare Opinion of a Pope. Fourthly, he engages for the Generality of Catholicks without their warrant, and againſt truth. Fifthly, he holds the private Letters of a Pope directed to

a few men to be as Infallible as a Faith-definition; So that as many periods as are in the Popes Breves, or private Letters, so many new Articles of Faith are coined. Sixthly, he is certain the Pope is Infallible, but with what Certainty he knows not. Seventhly, right or wrong, against the Law of God, or with it, a Judge, he holds, must be obeyed. Eighthly, he is injurious to the Memory of Mr. *Blackwell* the Arch-Priest. Ninthly, he distinguisheth not betwixt *Killing* and *Murthering*. Lastly, he makes the Pope Omniscient. Reverend Father, Is this Christian Doctrine.

His Conclusion of the Catechism Examined.

THIS Conclusion of his Book is not unlike the play of Blind-mans-Buff, where he strikes at a venture without regard to Friend or Foe; then jumps to and fro without any thing of method. Will you have a taste of his kindness to his friends? Thus then; I produced Sixteen of the most considerable of the Society in all France; promising to the King under their hands to Subscribe to the
Cen-

Censure of the *Sorbon* and never to teach against the *Sorbon* in this point. The Censure is that the Doctrine of deposing Kings is false, erroneous, contrary to the word of God, &c. To this Censure he will not own that the men of your Society subscribed, but onely that *they* subscribed to the condemnation of *Santarellus* whose Book contained more than that. If then they did not subscribe to the Censure against deposing Doctrin, having so religiously promised it to the King in their declaration of the *Sixteenth* of *March*, 1628. where is Honesty? Is not this to cast dirt upon the faces of his own Fathers?

But grant, saies he, they did subscribe to the Censure, *did they swear to what they subscribed?* Again, where is old Honesty? Will not a Religious honest man swear to what he will not refuse to subscribe? If what he subscribes to, be true, what harm is there in due Circumstances to swear it? If it be not true, what honesty can subscribe to it. Is not this still to bespatter his French Fathers? He advances thus, *Can the Subscription of Sixteen Jesuits make the Doctrine of deposing Heretical?* I answer, no. But this argues that some Jesuits have two Faiths
in

in their pockets; one for Rome, and another for Paris; they at Rome professing it *to stand with the word of God*, and they at Paris declaring it to be *against the word of God*; and is not this to play at Blind-mans-buff with his own Fathers?

Next, he asks whether the French Oath of Allegiance be the same with the English, and he answers himself, *no*; but adds, *that the Oath-teachers use to say it was the same*. My reply is, that if he fancy any such Oath-teachers, he may fight against his own dream: for, I know of none who use to say so: nor do I see what great need there is of such a Oath in *France*: for, those men of your Society whose Books were burnt in *Paris* for teaching the deposing Doctrine, do restrain the Pope's Power of deposing to the cases of Heresy and Apostacy: Now the French Kings living in communion with the Church of *Rome*, and fearing no danger from the deposing Doctrine, it may be reason of state in them not to meddle with the Pope's Power in their Oath of Allegiance. But, should the French Kings recede from the Roman Communion, as the Kings of *England* have done; or, should the deposing men
be

be found in a secret Conspiracy against their Lives, as the Powder-Traitors were at Westminster, who acted by the deposing Principles, can he tell us what Oath the French King would then frame? If he cannot, let him learn from the Decrees already made against that Doctrine both by that Church and State.

When I had in defence of the Oath of Allegiance, declared that a Moral Certainty was a sufficient assurance to justify an honest man in his Oath, and consequently, that there was no necessity that the thing sworn should be so absolutely true in it self that it could not possibly be otherwise (for then no Oath, or at least, but few could be taken) but only that it should be true to the judgment of the Swearer, when I say, I had declared this, the Catechist both in his former print and also now, inveighs against me as encouraging the greatest dishonesty imaginable; and yet, poor man, he is lap't into the same error, but sees it not; for, he assures us, he has the same Certainty in swearing, the King to be the right and Lawful King of this Realm, as he has of Innocent the 11th. being Pope (who notwithstanding he confesses

fesses may possibly be no Pope, as not being Baptized, Ordained, or being simoniacally Elected, &c) which is not to swear the truth of a thing in it self, but as it is in the swearers judgment, who has for warrant of his honesty a moral Certainty, whatever the truth in it self may possibly be. Is not this to play at blind-buff and contradict himself?

At the winding up of his Catechism, he propounds to himself a question, of all hitherto, it may be, the most Important. 'Tis thus; *How comes it to pass, saies he, that the Pope's Declaration binds to a Compliance in not taking the Oath, even with the loss of Liberty, Life, and Fortunes, seeing the Precepts of the Church do not oblige with so much rigour? and he answers himself in the words following, because saies he, the Law of God obliges me, not to take an Unlawful Oath, and the Law of God is indispensable. Now the Pope declares my Obligation of not taking the Oath to be a part of God's Law, from whence it follows that it is indispensable. On the contrary, the Precepts of the Church are dispensable, and oblige not to the forfeiture of Lives, and Fortunes. The Question put, I confess, is clear and easy, but in his answer he confounds*

founds himself, though from both I conclude his sence must be thus, that the Oath is not therefore indispensable because it is prohibited by the Pope, for that would not oblige us with the hazard of Lives and Fortunes, but because it is against the Law of God antecedent to the Pope's prohibition, and the Pope now as God's Vicar declares it to be so, and consequently 'tis Indispensable. This, I say, must be his sence, if he has any. For when he tells us that God obligeth us not to take an unlawful Oath, the Question returns what makes an Oath Unlawfull? If it be the Pope's prohibition onely, that's dispensable; if it be the Law of God, antecedent to the Pope's prohibition, 'tis therefore indispensable. This being so, I ask whether this prohibition or declaration of the Pope be a definition of Faith, or no? If it be, where is the thing defined, without which 'tis impossible there should be a Definition? Besides, is not every man free to maintain any one clause or proposition of the Oath, without doing the least injury to the Popes prohibition or declaration? For, whoever affirms that the Pope's Prohibition falls upon any particular Clause, is

too rash, as not having any warrant from the Pope for his bold Assertion: Since then every part of the Oath may separately be maintain'd without infringing the Pope's Prohibition, how can the Prohibition of the Oath, be a Definition of Faith? Clearly then the Pope's declaration by his Breves is bottom'd upon his own private Opinion, unto which though all *due* respect is to be pay'd, yet why it should oblige the Catholicks of *England* with the loss of Liberty, Fortunes and Lives, since he owns the precepts of the Church do not, I expect to be instructed by another Catechism: nor do I think he values his own life so little as to hazard it upon the private Opinion of the Pope, though never so Learned and Holy. But, if he will, he must pardon others who are not of his mind.

To convince him that some Breves of Popes may pass un-obey'd, I instanced in *Nicolas, John, Celestin. Alexander*, and most particularly in *Boniface the Eight*, who in his Bull against the French King declared himself *not only Supream in Spirituals, but also in Temporals, and that all were Hereticks who held otherwise.* To these

these Objections he sends me to *Bellarmin* to receive my Answer, and I at the same time sent him and another to *Wihrrington*, and to *John Barclay*, Father and Son, who to a little have made good the Objection against *Bellarmin*. To say as he does, that those Errours were the private Opinions of Popes, is to yield the cause, and own that Popes may err in their private Opinions; and consequently, that his Commands (such as is the prohibition of the Oath of Allegiance) grounded upon such private Opinions, may be subject to misinformation and error. Nor does it import that the Command be of one or two Popes, never so often iterated, or that the menace be of Temporal or Eternal pains; for, still we are at this lock, that 'tis the private opinion of Popes; for which Liberty, Life, and Fortunes are not to be sacrificed. Had he perused the Letters & Decrees of Popes so often cancelled in the Church even by succeeding Popes, experience would have taught him that 'tis no new thing that the Decrees of Popes may spring from their private opinions and misinformation; and, when they do, are revocable either by themselves or others,

and

and never to be obey'd to the disturbance of the Peace of the Church ; and this without any disrespect to the Holy See. so thought St. Bernard (to omit many others) who gives this lesson to our Carechist, *that the Apostolick See has this for which 'tis much celebrated, that it stands not upon punctilioes of honour, but is easily prevailed with, to retract that which by surprize had been procured from it. 'Tis indeed but just that no body should thrive by Injustice, and that especially before the Holy See.* Bernard, Epist. 180.

He was now come to the last period of his Carechism, when he thought it expedient to make a deeper impressi-
 on in the minds of his Readers of his little tricks and arts by a re-capitulation of his worthy feats. *First*, he places in the van a known Imposture, saying, that we declare that by the Oath *onely our Opinion is sworn*, whereas we require a settled Judgment, and that with more Certainty than Escobar, or many of his four and twenty Elders do think requisite to an Oath, as was made out in the last. *Secondly*, he imputes it as a Crime to the swearers that they do not by their Oath exclude as well the Temporal power of the Pope, and

and of other Princes, as onely the Spiritual power of the Pope ; as if other Princes, and the Pope as a Temporal Prince, may not right themselves by force of arms, and invade the King's Dominions, as he may theirs in case of wrong done him, and reciprocally possess themselves of new Conquests? Or, as if King *James* and that Parliament, by whom the Oath was made a Law, were to be begged for Fools? Thirdly, he deludes his reader again in declaring that we by the particle *as* in the Oath, doe onely mean Similitude: This I say is a delusion ; for we do not onely assert that this particle *as* joyned to *Impious and Heretical*, may be taken for a Similitude, but also for Identity ; and that, in the plain and common sence of the particle ; and, moreover, that 'tis in the choice of a swearer to mean either Similitude or Identity. Nor is it materiall in which sence he swears, provided his abhorrence or detestation of the Doctrine be the same in either. Fourthly, he blames the swearer, that engaging by Oath to discover all Treasons, he omits to discover some that are such by Law, as also Treasons known in Confession. As if an Oath were not framed of words, and words were

E

not

not to be regulated by concomitant Circumstances, and *Pro Subiecta Materia*; as has been declared both by the Law and Law-maker. Fifthly, he charges the Swearer with this Perjury, that at the same time he swears to use no secret reservation, he actually has in his mind a secret reservation; as if restriction of words known to be such by common Circumstances were secret reservations; or, as if what is not hid, but open to the whole world, were secretly reserved. Finally, he faults the Oath, that by it is sworn that the Pope cannot authorize any forraign Prince to invade the King, but not that he cannot implore his aid to invade him; as if to implore Aid and Authorize were one and the same thing. What remains is the modell of an Oath he would present the King, to be taken by his Subjects; the juggle of which is discovered in the beginning of this my Answer to his Catechism; to repeat it will be too tedious, and I am heartily weary of still rowling the same stone, which his constant repetition of the same things has forced me upon: Wherefore, having made our accounts even in the foregoing Chapters, I shall also state those of his conclusion
of

of the Catechism and so end.

First, He puts three slurs upon his own Fathers in point of honesty.

Secondly, He obtrudes upon others his own dreams as their sayings.

Thirdly, He is guilty of that for which he blames his Adversary, and fees it not.

Fourthly, He confounds the Pope's private Opinion with a Faith-definition.

Fifthly, He would sacrifice all the Catholicks of England to the Pope's private Opinion.

Sixthly, Either he thinks the Decree of Popes must in no case be disobeyed; or, if he thinks they may, he dares not give a rule for it.

Seventhly, He commits three impostures.

Finally, He understands not the difference betwixt Authorizing and Implo-
ring Aid, and is a great stranger to secret reservation. Reverend Father, Is this Conclusion of his Catechism, Christian Doctrine? For to you and to the impartial reader, as he commends his Catechism, so shall I my answer; Peruse it and weigh

(164)

it: the more severe you are in the examining of it, the more kind you will be to your self and me; since Truth and nothing but Truth is the Game we are in pursuit of.

Reverend Father,

Your ever Faithful,

A. B.

THE

dis
of
th
tha
are
Ca
rah
to
hin
fal
and
tha

THE ANSWER

To His
APPENDIX.

Reverend Father,

THe Catechist, having printed and publish't his Catechism, he thought fit to send post after it an Appendix in a Manuscript, by way, I suppose, of Refutation of it; for I never saw two things more at odds one with another, than the Catechism and this Manuscript are. For, in his *Nineth* Chapter of the Catechism, he gives out that the *General sence of Catholicks is to hold the Pope to be Infallible in points of Doctrine*, and he himself tells you he is *certain the Pope is infallible* in deciding points of doctrine; and, though he owns that 'tis not Faith that the Pope is Infallible, yet he judges

it defineable. Now against himself he argues thus in his manuscript; *What, sayes he, if the Pope should command a man to swear the deposing Doctrine to be an Article of Faith?* he answers, himself thus, *he ought not to be obeyed*; and he gives for his reason, because he is certain *'tis no Article of Faith*. Is not this rare dodging with the King and Pope? In the Catechism, Chap. *Nineth*, he was certain the Pope was Infallible in deciding Faith, the Pope now [in the hypothesis] has declared a point of Doctrine to be of Faith, and commands him to swear it to be so, but is not to be obeyed; nay, he assures you there is certainty against the Pope's infallibility, *against which certainty the Pope cannot declare*. Is not this to make the Pope infallible and not-infallible when he pleases? Again, both in the *Catechism* and in the Appendix he declares the Pope to be Judge as to the Lawfulness or Unlawfulness of an Oath; This being so, does not the Pope (when he commands him to swear the deposing Doctrine to be an Article of faith) by such a command declare that Oath to be Lawful for him to take? Clearly then to say the Pope in that case is not to be obey'd, is to make him judge and no judge as to the Law-

Lawfulness of an Oath. Finally, in his *Nineth* Chapter has he not declared the Pope to be *Sovereign Judge in Spiritualls*? If then he shall declare it to be an Article of Faith that by vertue of his Spiritual Power he can depose Kings, ought not this Catechist believe that power or right to be a Spiritual Right, and consequently, obey when the Pope shall command him to swear it? In his Appendix he tells you, no; for he has a demonstration against his own Catechism. Riddle now my riddle, what's this? Infallible, and not infallible, a Judge and no Judge, a Sovereign and no Sovereign, how can that be? Reverend Father, Are these the Mysteries of Christian Doctrine?

In a book of an Oath. Finally, in his
 New Chapter, he has not separated the
 Pope from the Pope's power, as if he
 It is the final decree, as to an Ar-
 ticle of faith, that the words of the Spirit
 and the Pope's power, ought
 to be the same, before that power or
 right, as the Pope's right, and conse-
 quently, obey, when the Pope shall com-
 mand him to swear it? in his Appen-
 dix he tells you no; for he has demon-
 strated against his own Catechism. Rid-
 dle now my riddle, what's this? Infalli-
 ble, and not infallible, a Judge and no
 Judge, a Sovereign and no Sovereign,
 how can that be? Reverend Father, Are
 these the Mysteries of Christian Doctrine?

(169)

THE
D E C R E E

Of the FATHERS of the
Society of Jesus

of the *English* Province,

At their Provincial Congregation
made, against the Oath of Allegiance,
at *Ghent*, the Fifth day of *July*, this
present Year, 1681.

W I T H

Some *Animadversions* upon it.

That we may proceed with
uniformity amongst our
selves in the manner of acting
touching the Oath of Allegi-
ance.

First,

First, Let us all profess that as much Obedience and Fidelity ought to be sincerely sworn and exhibited to our King from every one of us, as is wont to be sworn and exhibited to any Princes whatsoever from other Catholick Subjects.

Secondly, That the Oath, as now it is, sprinkled with many heterodox clauses, cannot be taken, as being condemned by many Breves of Popes.

Thirdly, If any (against the Decrees of Popes) have taught the foresaid Oath to be lawful, let him not be admitted to Absolution, without publick Recantation, either made or sacredly promised.

Fourthly,

Fourthly, Those who against their Conscience have taken the Oath, let them be deprived of Absolution, without manifest signs of Repentance, and promise of Amendment for the future. But those who with a good Conscience have taken it, are to be instructed: and if they renounce it, are to be absolved.

Fifthly, Let care be taken, lest either too much facility, or morosity in absolving, breed Scandal.

Excep^t

Fourthly, Those who are
 their Conscience have taken
 the Oath, let them be kept
 to it. And let them be
 made signs of repentance,
 and receive of Communion
 for the future. But those
 who have a good Conscience
 have taken it, are to be in-
 structed; and if they renounce
 it, are to be rebuked.

Fifthly, Let care be taken,
 lest either too much facility, or
 rigidity in holding, breed
 scandal.

Sixthly.

Exceptions

Against

The foregoing DECREE.

Against this Consult, and the Decrees made by it, there are many Exceptions.

First. A few men overvoting the rest of the Consult, and locking up, with the key of pretended Authority, the Understandings of the *lesser* number of the Consult, and of all those who are not in the Consult, do Tyrannize over them; and oblige them, when a question is put (whether the Oath be True or False, good or evil) to answer in the sence of the Consult, though their dictamen of Conscience be against it. So that a Lay-Person who makes choice of a Confessor out of this Society for his Vertue and Learning, and thinks to find an Oracle in him, is gull'd. For, 'tis the Consult that

that swayes, by whom this Confessor (though otherwise against his conscience) must advise and act. And, therefore, when 'tis given out that all the Jesuits are against the Oath of Allegiance, 'tis in truth a great cheat; for it may be more than half of them are for it, but being over-aw'd by such Consults to whom they have vowed obedience, they must either submit, be punished, or expelled the Order.

Secondly, To determin of an Oath whether it be True or False, Lawfull or Un-Lawfull by number of votes of such Communities (even in their fullest Assembly) is to throw Cross or Pile, even or odd, in the search of Truth. For, if the votes happen to be *odd*, then the Oath is True, or, if you will, False; but, if they be *even*, 'tis a drawn match; and then it must be put to the vote again till an *odd* one starts up, and that must carry it. In the framing of Laws for the well governing of such communities ('tis confessed) the plurality or number of votes must prevail, because those Laws have all their force to bind the members of the community, from the number of votes. But the Truth of an Oath or the Conformity

ty it has to the Law of God, is independent from any Votes of the Communities, and is Truth it self, and known by a rational man, (such as preachers of the Gospel ought to be) not by a Plurality of Votes, but by the Laws of God, and Reason, or by an Authority Infallible: so that to put Truth to the vote, and act against conscience, is unexcusable.

The first Article of this Decree promi-
 seth much in shew, but performs nothing
 in substance; it equivocates with the King,
 and in the end deludes him. For, when
 they offer to swear the same Allegiance
 to him as other Catholick Subjects do to
 any Princes whatsoever, either those Prin-
 ces are in Communion with the Church
 of Rome, or out of it; if they are in
 communion with the Church of Rome,
 they have no reason to fear the Deposing
 Power, since the men of the Deposing
 School have taught it only practicable
 in point of Heresie and Apostacy; and
 therefore out of some reason of state, may
 safely enough omit in their Oath the re-
 nouncing of that Power. But, if those
 Princes be out of communion with the
 Church of Rome, I know not whether
 they have felt the smart of the deposing
 Doctrine

Doctrine; sure I am our Princes, as *Henry the Eighth, Queen Elizabeth, and King James* have run the risque of it both in their Crowns and Lives; and, consequently, their Successours have reason to exact the renouncing of it, whilst other Princes may not. Besides, if other Princes require less of their Subjects than they may, must we who are Subjects pay less duty to our Prince than in Justice he requires?

The second Article is a great error; for, after so many challenges, never yet could they find the least position against Catholick Faith in this Oath; and those who by importunity wrested any Decrees from the Pope, suggested unto him (as is manifest by their writings) that his Power of Excommunication and Supremacy in Spirituals was taken from him by this Oath; so that those Breves were procured by artifice and surprize.

But, admit the Pope had condemned it, if that must deterr us from taking it, I know no Oath of Allegiance which renounceth either the Pope's power of deposing, or the exercise of that power, but may by some Pope or other be condemned, whilst that Pope asserts his power
to

to Depose. Nay, the Oath which the *Jesuits* themselves offer to take may run the same Fate; and so no Allegiance must be pay'd to the King but such as the Pope will allow him, which may be none at all.

The third and fourth Article, are the vain Attempts of Men without Authority. For, to frame Decrees for binding and absolving Sinners is the great Work of the Hierarchy of the Church; of which neither are these *few* Men of the Consult, nor the *whole Body* of the Society any part.

The last Article of this Decree, relating to too much facility or morosity in absolving Penitents, is somewhat ambidextrous, and seems to afford a case for every rich man's Conscience. It wants an *Oedipus* to clear it's sence; but, if Practice be the best interpreter of words, there will be found who will construe it thus; If a powerful or wealthy man comes to Confession, and having taken the Oath will not recant and renounce it, then to dismiss him without Absolution shall be esteemed too much morosity; but, if a weak or poor man comes, then to Absolve him without recant-

M

ing

ing or renouncing it shall be deemed too much facility; which manner of carriage favours too strong of *Irudentia Carnis*.

Some of the Society have taken this way to cloud the Oath of Allegiance, *we do not, say they, make the Pope his own judge in the case betwixt himself and the King, as to the deposing Power, but only as to the Lawfulness, or Unlawfulness of the Oath, which being an act of Religion, 'tis his part to judge of it.* This, I say, is a manifest elusion of the Oath, and collusion with the world. For, if the Pope owns in himself a right to depose the King, 'tis evident he may and will declare all Oaths Unlawful that stood in his way and are repugnant to his presumed right; nay, he may frame an Oath, and (being the only Judge of the Lawfulness of his own Oath) oblige all Catholicks to swear that he has power to depose the King, which is to make him Absolute Judge of the Deposing Power, Thus you see, these Carthists and Framers of Decrees, give us many hollow-hearted words concerning Allegiance; which, when we come to grasp them, slip through our fingers; vanish into Air and signify just nothing.

The Subscription of threescore
Doctors of the *Sorbon* to the **Oath**
of Allegiance, vindicated a-
gainst some frivolous Exceptions.

WHen a Man is seized with the itch
of Cavelling, nothing can escape
his Nails; but though his itch be incur-
able, and his Nails will grow, yet they
may be pared. The Doctors of *Sorbon*, who
have Subscribed to the *Oath of Allegiance*,
offer'd to do it without any explanation;
but, being advised to declare themselves
upon that part of the Oath, wherein some
tender Consciences scrupl'd, they freely
comply'd, and sign'd an Explanation, thus
faithfully translated into *English*.

The Subscription of the *Sor-*
bon Doctors.

WE under Written Di-
vines and Doctors
of the Sacred Faculty of Pa-
ris, do judge the Oath, as it

is in the other page conceived, may with safety of Faith and Conscience be taken by English Catholicks; so that, the words Deposed and Murthered [in the proposition, which is of the deposition and murder of Princes, and which is condemned as Heretical] be taken jointly; nay also, though separately, so notwithstanding that the Heretical proposition, for as much as it asserts that Princes may be Deposed, be taken materially (that is contrary to the word of God) and formally also for as much as it adds that they may be Murthered.

This Declaration or Subscription was given by threescore at least of the *Sorbon* Doctours, and is now the Subject of *Cavill*. Long it was before these *Cavillers* would

would own to their friends in *England* that the Doctors had subscribed, and even to this day some of them do out-face the Sun: but whosoever now will be any longer deceived, is infatuated. Those who are conscious to the truth of this Subscription and cannot longer conceal it have still for refuge their little arts to elude it, which shall be laid open in these following paragraphs,

Some, say they, *Parisian Divines*, famous as well for *Piety* as *Learning*, do make little or no account of the *foresaid Subscription*, for these following reasons. Before I weigh the reasons, 'tis expedient to clear their terms, for I see I have to do with men well skill'd in the equivocating craft. First then, I beseech them to declare who these *Parisian Divines* are so famous for *Piety* and *Learning*; for words are no payment. Are they the Divines of the Faculty of *Paris*, or are they the Divines of the Society of *Jesuites*? for both may be *Parisian Divines*, but both are not of the Faculty of *Paris*. If they be of the Society, 'tis well known that Books printed by some of them asserting the deposing Doctrin were condemned both by the Church and State, and ordered to be burnt

in *Paris*, and the whole order banisht
thence, upon that account; so that they
are not the men to be consulted in this
case, the Oath being destructive to that
Doctrin; Though, at this present, there
is reason to believe that the men of that
Society in *France* are of a different judg-
ment from their brethren elsewhere. But,
if they be Divines of the Faculty of *Paris*,
what warrant is there under their hands
for it? For to believe that these renown-
ed Divines would renounce that so an-
cient and famous Censure brought by
the whole University against Deposing
Doctrin, declaring it to be *new, false, erro-
neous, against the word of God* (as they must
do if they value not this subscription)
requires more than the bare words of the
asserters. I shall also examine their pre-
tended reasons; for, although they give
out that 'tis the voice of *Jacob*, yet I doubt
not but to evince that the hands be of *Esau*.

The first reason is because this Sub-
scription does formally contradict two Breeves
of *Paul* the fifth decreeing with deliberation
that, it is not Lawful for Catholicks with a
safe Conscience to take the foresaid Oath,
since it contains many things repugnant to
Faith, &c. What likelihood is there that
this

this reason should be urged by any Divines of *Sorbon* who could not be ignorant that at the same time the whole University of *Sorbon* declared against the Deposing Doctrine, as *new, false, erroneous, & contrary to the word of God*, some Popes had before assumed that Power, and did attempt, Both by Breves and Bulls too, to put it in execution. Besides, what is more familiar to the *Sorbon* than to assert the Doctrins of the *Gallican Church*, and the Authority of their Kings, against any Breve or Bull whatsoever ! Nay, the *French Jesuits* themselves have by long experience found it now expedient to disobey the Popes Breves or Bulls which are not consistent with the Policy of *France* ; as is manifested in the cases of father *Meimbourg* the *French Kings* historian, and the *Jesuits* of *Tholouse*, in point of the *Regalia*. To fix then this reason upon the Divines of *Sorbon* or the *Jesuits* of *France* is to impose upon them.

The second Reason is, *Because the Proposition in which the whole difficulty is found, cannot be taken jointly but separately as the words are, and this truth is shewen by the Learned Perot.* I am glad to hear the whole difficulty of the Oath is reduced to one Proposition. But, what

will the Catechist say to this, who has found a knot in every Rush? However, since the Subscribers, who are three-score at least, do assert, that it may be taken jointly, why must we pass by them and yeeld our Assent to these Devines in *Mascarade*, or to one *Perot* (whom, notwithstanding, the Catechist himself in a former Print, owns to have altered his Opinion; if so, *quem sequutus es errantem, sequere penitentem*) there being no reason alledged in his or their Defence. But, to convince them that such propositions may be taken jointly or separately, I instance in this, *'Tis lawful to live honest or steal*, the sense either may be, that 'tis lawful to do either of them, and then that proposition is taken jointly, and is formally Heretical; or the sense may be, that 'tis lawful to do some one of them, and then the proposition is taken separately, and is not heretical. The same in proportion I affirm of this other proposition, *'Tis Lawful to Depose or Murther*, which taken jointly, is formally Heretical, because *malum ex quolibet defectu*; but taken separately, is materially heretical in respect of one part, and formally

ly in respect of the other; nor, is it inconvenient that one predicate may diversly affect different Subjects, especially both sences being plain and common.

The third Reason is, *Because the Subscribing Doctors without cause affirm that the adjectives, Impious and Heretical, are to be taken formally in reference to the word Murthered, and only materially in reference to the word Deposed; nor can there be assigned any Reason, why they are not to be taken univocally in one and the same proposition.* But, to evince that a reason may be assigned, I shall give him this; that, though the proposition be but one, yet 'tis equivalently two, having two different subjects, which are *to be Deposed, or Murthered*, and consequently, the predicate may also be equivalently two, or diverse in signification without any sin against Logick.

The fourth Reason, is, *Because 'tis not undoubted that the Pope cannot depose Princes in some cases, since many Popes and Divines of good note have taught the contrary; whom no body but rashly and unskilfully may accuse of material Heresy.* My Answer is, That amongst the Sorbon Divines, even those who were not required to subscribe,

scribe, much more amongst the Subscribers, tis certain the Pope has no power to depose soveraign Princes; nor, are they concerned what others doubt or doubt not; for, they hold not themselves oblig'd to doubt with others for company sake; neither, are they esteemed rash or unskilfull in their Art for charging that Doctrin with material Heresy; since nothing is more frequent in the Schools than to charge the opinions of others, nay, and sometimes of Popes too, with material Heresy; and that without breach of union, or any disrespect to the Holy See.

The fifth Reason, is, *Because, since the Subscribers do say, that to depose is a doctrine only materially Heretical, it seems 'tis not lawfull for Catholicks to take the Oath, because it is as it were a faith-profession, where every word is to be taken in its formal not material sence, as is expressed in the end of this Oath. My Reply is, that, I find no such expression as formal, but plain and common sence, neither in the end, nor throughout the Oath. A plain man and a formal are very different. Secondly, What is only as it were a faith-profession is no faith-profession. Thirdly, If*
it

it be only a profession of what is materially Faith, what harm is it if the doctrine in contradiction to it be esteemed and censured as materially heretical.

The Sixth reason is, *because the Subscribers do not permit* Catholicks to swear, but with a condition, which neither the *illiterate understand, nor magistrates do allow of.* I answer, that the swearer need not trouble his head with any thing conditional, but onely plainly and honestly abjures the position as *Heretical*; for whether it be either materially or formally Heretical or both (terms which are known onely to the School) so it be heretical, his Oath is good, and he in conscience secure; nor do the subscribers require that the swearer do understand all their terms of explication. The subscribing Divines have declared deposing and murdering to be against the Word of God, this both the Litterate and Illiterate understand to be heretical, and seek no farther.

The Seventh reason is, *because 'tis manifest that all the Six professors of Sarhon with many other most learned Divines, and all the regulars almost, have refused to subscribe.*

Con-

Confidence may be a bolster for any thing; otherwise I am more inclined to credit those whose care it was to propose the Oath to be subscribed by the Divines of *Sorbon*, than these Cavillers who are ignorant of the whole transaction. Now they do positively affirm that none of the Six Professors did ever refuse, nor was any of them consulted but *Monsieur Le Siocque*, and *Monsieur Deperire*, both which notwithstanding offered to sign in case it had been proposed unto them by Authority. And, as for *Monsieur Perot*, in whom these Cavillers so much glory, he has declared in the presence of several Persons of quality of our own nation, who consulted him about it, that this Oath may with a safe Conscience be taken, and that he censured no body for it; for which reason our Catechist, in one of his last prints proclaims him to be now byassed. As to those other Divines, when I know who and what they are I shall make reply; in the mean time, if they please, they may be convinced by the Subscription it self that several of the Regulars have also signed, and I may with truth add that few or none, to whom it was proposed have refused to subscribe.

The

(189)

The conclusion is, *that neither the most famous nor the most ancient of the Sorbon have subscribed.* As to this I must refer the Reader to those who have the honour to be acquainted with the Chancellor of the University and the rest of the Subscribers, who are all living, and most of them reputed the very Flower of the *Sorbon.*

FINIS.

ERRATA.

Page 3. Line 14. to Sale. p. 24. l. 6. Allegiance. p. 53. l. 7. Oath-teachers. p. 61. l. 20. Arms. p. 79. l. 9. Moral Certainty. p. 84. l. 4. proceed upon. p. 89. l. 5. Papist. p. 99. l. 23. Heiffius. p. 123. l. 11. upon by.

